

Louisville - Southern Indiana Ohio River Bridges Project
Progress Report Number 15
July 1, 2010 – December 31, 2010
Implementation of the Section 106 Memorandum of Agreement

The Section 106 Memorandum of Agreement (MOA)¹ for the Louisville – Southern Indiana Ohio River Bridges Project (Project) was executed on April 1, 2003. Attachment A provides a list of the signatories to the MOA and concurring parties. Included in the MOA was a stipulation providing for the preparation of a Progress Report (Stipulation IX). The following is Progress Report No. 15, which covers the July 1, 2010 – December 31, 2010 reporting period (Reporting Period).

Activity during the Reporting Period concentrated on implementation of mitigation measures in the MOA including preparing and convening meetings of the Indiana and Kentucky Historic Preservation Advisory Teams (IHPAT/KHPAT), continuing the Historic Preservation Plan (HPP) process for the Utica Limekilns and the Country Estates of River Road/River Road Corridor (CE RR/RRC), continued development of the historic preservation documents for Clark County, Indiana and Jefferson County, Kentucky, coordinating the activities to prepare preservation easements for various properties, as well as treatment plans for other identified sites. Activities related to completion of these aforementioned tasks are described in more detail in later sections of this report.

PART I – OVERALL PROJECT STATUS

The Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet (KYTC) executed the prime contract for Community Transportation Solutions – General Engineering Consultant (CTS-GEC) on April 20, 2005. A description of each section and the progress of each Section Design Consultant (SDC) are provided in the following summary.

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| <u>Section 1</u> | Kentucky Downtown Approach (including Kennedy Interchange) –
In October 2010, a presentation on the proposed Butchertown Gateways and Clifton Sound Wall was made to the local community to review logo options for the wall. |
| <u>Section 2</u> | Downtown Bridge (using Alternative C-1, Three Tower Cable Stay) –
No direct environmental or mitigation efforts were initiated by SDC 2 during this Reporting Period. |
| <u>Section 3</u> | Indiana Downtown Approach – During this Reporting Period, development of the rehabilitation and landscaping plans for the Spring Street Freight House (Freight House) were initiated. Plans have been completed to the 60%, 90% and 100% levels in anticipation of an April 2011 bid receipt. |

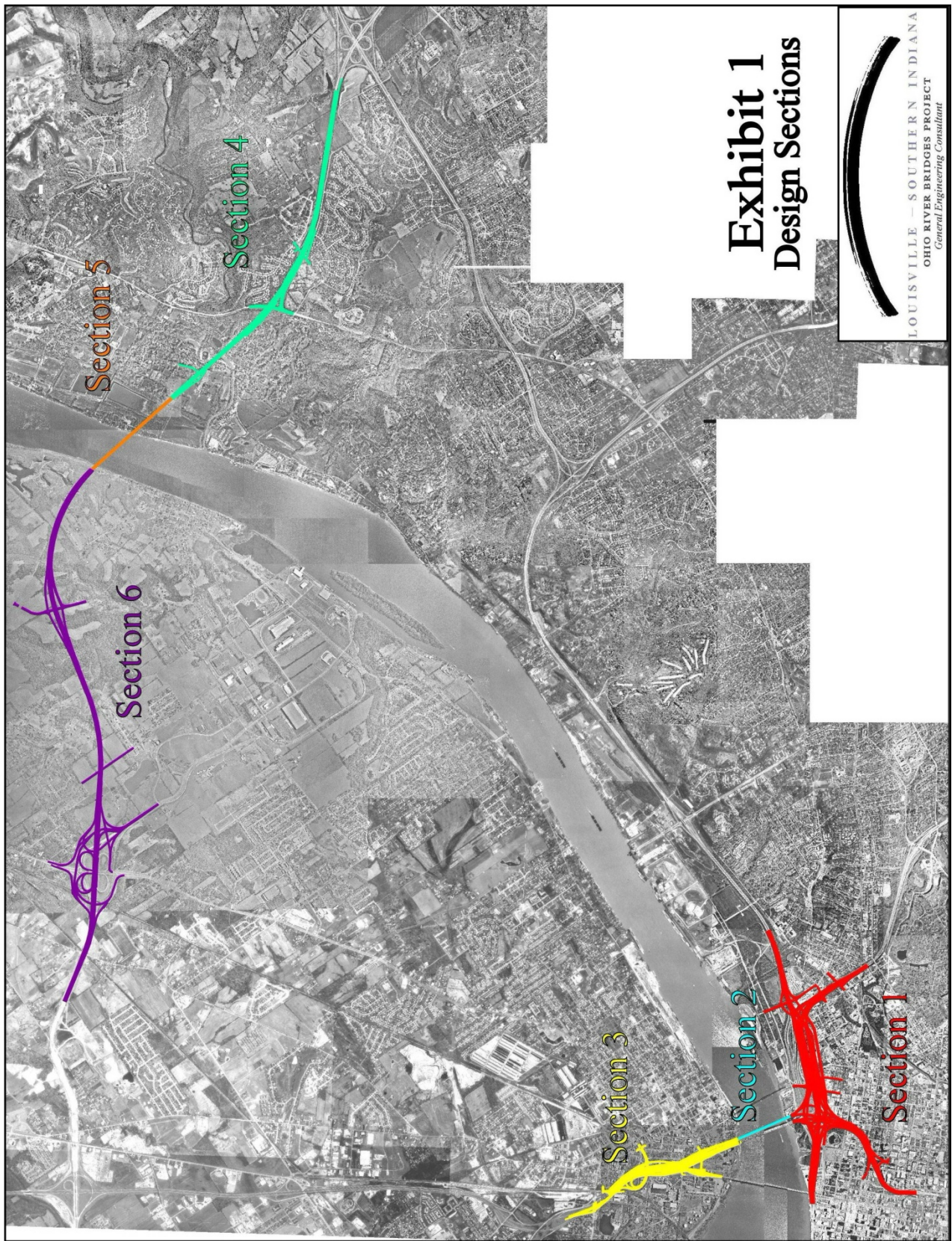
¹ A copy of the Section 106 MOA can be obtained by accessing the Project Website; the URL address is located at http://www.kyinbridges.com/pdfs/rod_d.pdf

Section 4 Kentucky East End Approach – Work continued on the Rosewell treatment plans and specifications. The 100% Rosewell Treatment Plan and Specifications were submitted to Kentucky State Historic Preservation Officer (KY SHPO) for review and to the KHPAT. Final review is continuing with approval of the treatment plan anticipated in the ensuing Reporting Period.

Section 5 East End Bridge – No direct environmental or mitigation efforts were initiated by SDC 5 during this Reporting Period.

Section 6 Indiana East End Approach – East End Approach – No direct environmental or mitigation efforts were initiated by SDC 6 during this Reporting Period.

CTS-GEC worked during this Reporting Period with the BiState Management Team (BSMT), which consists of representatives from the INDOT, KYTC and the Federal Highway Administration (FHWA), in the project oversight requirements of the SDCs under contract by either INDOT and/or KYTC.



PART II – IMPLEMENTATION OF MITIGATION MEASURES CONTAINED IN THE MOA

Measures to mitigate adverse effects of the Project on historic properties are described in the MOA along with a number of activities to guide the development of project plans and provide for coordination of those activities through an historic preservation advisory team for the Indiana portion of the project and one for the Kentucky portion of the project.

The MOA is divided into the following fourteen (14) stipulations:

- I. Project Coordination
- II. Project Development
- III. Site Specific Mitigation
- IV. Archaeological Resources
- V. Unanticipated Discoveries
- VI. Additional Historic Properties and Effects
- VII. Excess Right of Way
- VIII. Performance Standards
- IX. Progress Reports
- X. Project Modification
- XI. Amendment
- XII. Failure to Comply/Termination
- XIII. Dispute Resolution
- XIV. Duration

An expanded version of this listing is included as Attachment B to serve as an outline in the preparation of the Progress Report. A complete definition of each of the specific MOA stipulations completed during the Reporting Period is contained in Attachment C. Activities completed toward satisfying the various stipulations of the MOA during the Reporting Period are described in the following information.

STIPULATION I: Project Coordination

Stipulation I.A.2. provides for the Historic Advisory Teams to assist the BiState Historic Consultation Team (BSHCT) and the BSMT in developing Project design details to implement the measures stipulated in the MOA. Work continued during the Reporting Period on this stipulation.

Stipulation I.A.3. provides for the Co-chairs to convene meetings of the Historic Preservation Advisory Teams (HPATs), prepare summaries of said meetings and prepare and submit HPAT recommendations to the BSHCT for further action. IHPAT meetings were held on August 18, 2010, October 13, 2010 and December 15, 2010. A KHPAT meeting was held on August 26, 2010. Summaries of each meeting were returned to HPAT members within a reasonable time following each meeting.

Stipulation I.A.10. provides for the distribution of materials needed for review by the advisory teams and comments following scheduled meetings. Meeting materials were provided at least 15 days prior to each scheduled meeting. Presentations and requests for input during the meetings

were supplemented by a 15-day comment period following the meetings to obtain additional input and comment from the HPATs.

Stipulation I.A.11. provides for the development of recommendations by the Co-chairs based on comments provided by the advisory team, for consideration and action by the BSHCT. During the Reporting Period, there were no recommendations of the HPATs advanced from the Co-chairs to the BSHCT.

Stipulation I.B. provides for a BSHCT. The BSHCT is to consist of representatives of FHWA, INDOT, KYTC and the respective State Historic Preservation Officers (SHPOs). It defines the roles and responsibilities of the BSHCT, mandates the scheduling of BSHCT coordination meetings and provides a means to advance recommendations of the HPATs to the BSMT for final approval.

The BSHCT held three meetings during the Reporting Period on July 13, 2010, September 14, 2010 and November 16, 2010. The only recommendations elevated from the BSHCT to the BSMT (and the date of the respective BSHCT meeting) included the approval of Progress Report No. 14 (January 1, 2010 – June 30, 2010) for distribution (August 30, 2010), and the recommendation to advance the CE RR/RRC HPP to the BSMT for final review for approval (September 14, 2010.).

Stipulation I.C. provides for a BSMT. The BSMT consists of representatives of INDOT, KYTC and FHWA. It defines the roles and responsibilities of the BSMT, mandates the preparation of Progress Reports as set forth in Stipulation IX of this MOA and provides a means to consider recommendations of the HPATs through the BSHCT for final approval. Biweekly meetings of the BSMT generally occurred on the Monday of every other week and items related to this MOA were brought forth. The BSMT approved Progress Report No. 14 (January 1, 2010 – June 30, 2010) for distribution on August 30, 2010. Following approval the Progress Report was distributed in accordance with Stipulation IX of the MOA on September 1, 2010.

Progress Report Number 15 for the Reporting Period of July 1, 2010 – December 31, 2010 is provided in accordance with Stipulation IX.

Stipulation I.D. provides for an Ombudsman for the Indiana portion of the Project and one for the Kentucky portion of the Project. It defines the qualifications for performance as the Project Ombudsman, the roles and responsibilities of the Ombudsman and the location of the office of the Ombudsman for each state. During the Reporting Period, Mr. Carl Percy continued to serve as the Indiana Ombudsman. Mr. Lee Douglas Walker continued to serve as the Kentucky Ombudsman.

STIPULATION II: Project Development

Work initiated on implementation of mitigation measures identified in Stipulation II of the MOA during the Reporting Period follows.

Stipulation II.B. provides that the views of the public are important and will be solicited and considered at a minimum through the normal transportation project development process of each state through informal meetings to be convened by the respective State Transportation Agencies

(STA). During the Reporting Period, no Area Advisory Team (AAT) or Regional Advisory Committee (RAC) meetings were convened.

Stipulation II.C. provides that the roadways, bridges and other Project elements shall be designed and constructed with sensitivity to aesthetic values, historic cultural landscapes, and the historic context, utilizing services of professionals with experience in areas related to historic preservation. In October 2010, a presentation on the proposed Butchertown Gateways and Clifton Sound Wall was made to the local community to review logo options for the wall. There were four logo options presented; the logos are to be located at areas of high visibility.

The approach to the gateway treatments includes basic aesthetic guidelines with structures clad in limestone and brick; similar landscaping, lighting and signage options are also proposed. The landscaping will use site-specific schemes with space to allow local groups to provide plantings and maintenance of the sites. The gateway will have no lighting under the bridge; gas lamps that were removed and replaced in Butchertown over 30-years ago could be used. Signage at the sites will include banners on lampposts and bridge-based signage.

Stipulation II.D. provides for the roadway lighting within the viewshed of historic properties and any navigational lighting required on structures included in the Project shall be designed and constructed to minimize the dispersion of light beyond the right-of-way and include state of the art techniques. In Butchertown, as stated, the gateway will have no lighting under the bridge; gas lamps that were removed and replaced in Butchertown over 30-years ago could be used.

Stipulation II.E. describes activities to minimize adverse effects of noise on historic properties in accordance with state and federal noise regulations, policies and guidance. Noise barriers are still under consideration along I-64 in the area of Clifton. Additional coordination with Clifton occurred on July 28, 2010 to discuss the construction of noise wall with a brick façade. The neighborhood was in agreement with this design.

Stipulation II.F. describes the actions for preparation of HPPs. The seven historic properties for which HPPs are to be developed were identified in Stipulation II.F.2 (a through g). During the Reporting Period, development of the HPPs for the Utica Limekilns and the CE RR/RRC continued.

The Utica Limekilns Multiple Property Documentation Form (MPDF) and National Register of Historic Places (NRHP) nominations remain under FHWA review. FHWA is working with their legal staff to formulate a recommendation of how to proceed. At present, FHWA Project Manager has discussed the status of the limekilns and associated quarries with the FHWA – Indiana Division and FHWA – Headquarters. It is anticipated that discussion will continue in the next Reporting Period.

The final HPP for the CE RR/RRC was approved by the Co-chairs of the BSHCT at their meeting of September 14, 2010 with a recommendation to advance it to the BSMT for final review for approval. A copy of the Final HPP is to be sent to the BSMT in the next Reporting Period for approval.

The FHWA is working to process an amendment to the MOA for the Swartz Farm Rural Historic District (HD). The amendment is being processed due to the razing of the farmhouse, and the

subsequent loss of NRHP eligibility of the HD and the determination that the Central Passage House (CPH) is not individually eligible for the NRHP. A proposed amendment is under review by FHWA. If found satisfactory, FHWA intends to initiate coordination with the MOA Signatories to complete this process. Upon approval, a copy of the amendment will be provided to the IHPAT members for information in the next Reporting Period.

The final draft of the HPP for Butchertown is pending completion of the Dispute Resolution.

Stipulation II.G. states that within five years of the Record of Decision (ROD), the historic preservation documents for Clark County, Indiana and Jefferson County, Kentucky will be updated by a qualified historic preservation consultant with the information developed for the Project.

The data input into the SHAARD/ Geographical Information System (GIS) compatible format has been completed for the *Clark County Interim Report and Indiana Historic Sites and Structures Inventory (Inventory)*. All of the data has been converted and is in SHAARD. It is presently under review for accuracy. Once completed, the data will be available only in a digital format. The *Inventory*, as a paper report, will be discontinued.

Review comments for revision of *A Survey Update of Butchertown, Phoenix Hill, Downtown Louisville and River Road (Survey)* were provided to the Kentucky Archaeological Survey of the University of Kentucky in mid-August 2010. Following revision of the *Survey*, Louisville Metro Government (Metro) requested final approval from KYTC; with this approval, the *Survey* was submitted to the KY SHPO for their review before final production.

Stipulation II.H. mandates that preservation easements shall be established on (those specific) properties identified in Stipulation III in perpetuity by INDOT or KYTC, and held by a local government, local or state preservation organization or other entity as determined by INDOT or KYTC in consultation with the respective SHPO. The development of individual preservation easements (easements) continued for the Wesley House, the Edison House, the tract of land within the NRHP boundary of the Allison-Barrickman house and Drumanard. A preservation easement is to be placed on the Freight House after it has been rehabilitated.

On July 13, 2010, the KY SHPO stated that in accordance with an MOA, which was executed with the KYTC for the Wesley House, a draft preservation easement had been prepared between the owners of the Wesley House and his office for the grounds and building exteriors. In this process, FHWA, through KYTC, made an offer to rehabilitate the exterior of the gymnasium and the red brick building, if the owners agreed to place the easement around the entire property. This stipulation was accepted by the property owners. The KY SHPO worked with the property owners to reconcile the final comments on the MOA. A revised preservation easement was sent to KYTC and the property owners on September 7, 2010, and draft comments were provided on September 8, 2010. Final execution of it is pending revision of the easement.

KYTC is to take the lead in procuring the services of an architect and a contractor and provide oversight of exterior improvements to the Edison House, provided the owners are willing to place a preservation easement around the property and enter into a MOA with KYTC. Ms. Kristen Lutes, Executive Director of the Edison House, presented this proposal to the board (of the Edison House), and on August 31, 2010 was authorized to carry the proposal to the owners

(of the Edison House), Historic Homes Foundation (HHF). HHF approved Ms. Lutes to proceed with the preservation easement on September 10, 2010. As such, it was recommended that a coordination meeting be scheduled to reach agreement on the permissible work on the exterior of the Edison House and procedures to follow before another meeting is scheduled with the (Edison House) representatives. This meeting was held on September 27, 2010, where it was determined that a site visit was necessary. Subsequently, this on-site coordination meeting was scheduled on December 13, 2010, but postponed due to inclement weather. It will be scheduled in the next Reporting Period.

Coordination with the property owner is continuing for the placement of an easement on the tract of land within the NRHP boundary of the Allison-Barrickman house. The property owners are in receipt of the information requested from SDC 4. To date, no further coordination with them has taken place. It is probable that a meeting will be scheduled to further discuss the easement as the right-of-way acquisition phase is proceeding in the Kentucky East End.

Baseline documentation was prepared by SDC 4 for use in preparing the easement for Drumanard. On July 16, 2010, the KY SHPO stated that this documentation was satisfactory to his office. KYTC is pursuing the acquisition of the property. An offer has been made to the property owners and a counteroffer returned to KYTC; negotiations with the owners are continuing.

After rehabilitation, the INDOT will place a preservation easement on the Freight House and (most likely) offer the building for sale (as office space) through the Indiana Department of Administration (IDOA) state surplus property sale procedures. The disposition of the building would be in accordance with existing state law.

Stipulation II.I. mandates that for specific properties identified in Stipulation III, documentation required for a NRHP nomination shall be prepared by a qualified historic preservation consultant selected by INDOT or KYTC, upon receipt of written consent from the property owner(s) and within the first three years following the ROD. Six properties were identified in the MOA requiring the preparation of a nomination form, all located in Indiana.

In this Reporting Period, the Utica Limekilns MPDF and NRHP nominations remain under FHWA review. FHWA is working with their legal staff to formulate a recommendation of how to proceed. At present, the FHWA Project Manager has discussed the status of the limekilns and associated quarries with the FHWA – Indiana Division and FHWA – Headquarters. It is anticipated that discussion will continue in the next Reporting Period.

Stipulation II.J. provides for streetscape improvements, such as landscaping, tree plantings, ornamental street lighting, fencing, curbing, pavements, sidewalks, traffic calming, or other similar work, when specified in Stipulation III, shall be designed in consultation with the respective SHPO and constructed within public rights of way unless otherwise provided for in this MOA or approved by the Bi-State Management Team. In Butchertown, as stated, the gateway landscaping will use site-specific schemes with space to allow local groups to provide plantings and maintenance of the sites.

Stipulation II.K. states that interpretative signage, when specified in Stipulation III, shall be placed within the right of way of public streets, or on easements, to explain the significance of

the historic properties, their context, and their importance to the development of the area. In Butchertown, as stated, the signage at the gateway sites will include banners on lampposts and bridge-based signage.

STIPULATION III: Site Specific Mitigation

Work continued on the implementation of mitigation measures identified in Stipulation III of the MOA during the Reporting Period.

Stipulation III.A.2.b. provides that any work to rehabilitate the Train Depot (Spring Street Freight House) shall be undertaken in consultation with the IN SHPO and in accordance with the Secretary's Standards. The development of the rehabilitation plans for the Freight House progressed through the 60%, 90% and 100% plan stages in this Reporting Period. The date of the BSHCT and the IHPAT meetings, at which each set of plans were presented and discussed, is as follows:

60% Plans at the BSHCT of July 13, 2010 and the IHPAT of August 18, 2010

90% Plans at the BSHCT of September 14, 2010 and the IHPAT of October 13, 2010

100% Plans at the BSHCT of November 16, 2010 and the IHPAT of December 15, 2010

At each meeting, comments were duly noted for revision as a part of each plan development stage. It is anticipated that the 100% plans will be advanced through the INDOT for a construction letting in the next Reporting Period.

Stipulation III.A.2.c. provides that a preservation easement shall then be placed on the property consistent with Stipulation II.H and the property shall be sold at fair market value to a preservation organization or other party acceptable to the BSHCT or donated to a local government. At the IHPAT meeting of August 18, 201, a proposal dated July 1, 2010 from Indiana Landmarks (IL) offered that agency as the holder of the preservation easement. After the rehabilitation, the INDOT will place a preservation easement on the property and (most likely) offer the building for sale (as office space) through the IDOA state surplus property sale procedures. The disposition of the building would be in accordance with existing state law.

Stipulation III.A.5. provides that in consultation with the IHPAT and the IN SHPO, the INDOT shall develop and place interpretative signage as set forth in Stipulation II.K near the facility to explain its historic significance. At the IHPAT meeting of October 13, 2010, it was noted that a sign should be placed on the landscaping plans for any new tenant in the Freight House. The IHPAT preferred location was north of the entrance drive on Spring Street. A low rise monument type sign was recommended, similar to that in front of Jeffersonville City Hall. The design of the sign could follow the Ohio River Scenic Byway Interpretative Plan Project. In mid-October 2010, INDOT contacted the Seymour District, INDOT for the sign specifications. Further discussions are anticipated in the next Reporting Period.

Stipulation III.H.1. provides for the preparation of an HPP for the Utica Lime Industry Multiple Property Listing, including a Context Study focusing on the lime industry in the region. A pamphlet is to be produced, describing the results of such a study. Draft C of the HPP is pending the completion of the MPDF and the NRHP nominations for the kilns. The MPDF and NRHP nominations remain under FHWA review. FHWA is working with their legal staff to formulate a recommendation of how to proceed. At present, FHWA Project Manager has discussed the status of the limekilns and associated quarries with the FHWA – Indiana Division

and FHWA – Headquarters. It is anticipated that discussion will continue in the next Reporting Period.

Stipulation III.H.8. requires the INDOT to develop and seek NRHP nomination for the Utica Lime Kiln Multiple Property Listing. As stated, the NRHP nomination remains under FHWA review. FHWA is working with their legal staff to formulate a recommendation of how to proceed. At present, FHWA Project Manager has discussed the status of the limekilns and associated quarries with the FHWA – Indiana Division and FHWA – Headquarters. It is anticipated that discussion will continue in the next Reporting Period.

Stipulation III.I. The FHWA is working to process an amendment to the MOA for the Swartz Farm Rural HD. The amendment is being processed due to the razing of the farmhouse, and the subsequent loss of NRHP eligibility of the HD and the determination that the CPH is not individually eligible for the NRHP. A proposed amendment is under review by FHWA. If found satisfactory, FHWA intends to initiate coordination with the MOA Signatories to complete this process. Upon approval, a copy of the amendment will be provided to the IHPAT members for information in the next Reporting Period.

Stipulation III.I.4. requires the INDOT to develop and seek NRHP nomination for the portion of the Swartz Farm lying to the west of the Project, including the house, barn and associated outbuildings. The preparation of the NRHP nomination form is to be developed by CTS-GEC. FHWA is currently reviewing the MOA for a determination of the future direction for this commitment, as previously discussed.

Stipulation III.I.7. requires archival documentation of the CPH prior to its demolition. FHWA is currently reviewing the MOA for a determination of the future direction for this commitment.

Stipulation III.K.1. provides for the preparation of an HPP for the Butchertown Historic District. The final draft HPP for Butchertown is pending completion of the dispute resolution.

Stipulation III.K.4. provides for the exterior rehabilitation of the Edison House if the owners agree to provide a preservation easement to ensure the long-term preservation of the exterior. KYTC is to take the lead in procuring the services of an architect and a contractor and provide oversight of exterior improvements to the Edison House, provided the owners are willing to place a preservation easement around the property and enter into a MOA with KYTC. Ms. Kristen Lutes, Executive Director of the Edison House, presented this proposal to the board (of the Edison House), and on August 31, 2010 was authorized to carry the proposal to the owners (of the Edison House), HHF. HHF approved Ms. Lutes to proceed with the preservation easement on September 10, 2010. As such, it was recommended that a coordination meeting be scheduled to reach agreement on the permissible work on the exterior of the Edison House and procedures to follow before another meeting is scheduled with the (Edison House) representatives. This meeting was held on September 27, 2010, where it was determined that a site visit was necessary. Subsequently, this on-site coordination meeting was scheduled on December 13, 2010, but postponed due to inclement weather. It will be scheduled in the next Reporting Period.

Stipulation III.K.5. provides for the exterior rehabilitation of the Wesley House if the owners agree to provide a preservation easement to ensure the long-term preservation of the exterior. On

July 13, 2010, the KY SHPO stated that in accordance with an MOA, which was executed with the KYTC for the Wesley House, a draft preservation easement had been prepared between the owners of the Wesley House and his office for the grounds and building exteriors. In this process, FHWA, through KYTC, made an offer to rehabilitate the exterior of the gymnasium and the red brick building, if the owners agreed to place the easement around the entire property. This stipulation was accepted by the property owners. The KY SHPO worked with the property owners to reconcile the final comments on the MOA. A revised preservation easement was sent to KYTC and the property owners on September 7, 2010, and draft comments were provided on September 8, 2010. Final execution of it is pending revision of the easement.

Stipulation III.K.12. provides that KYTC shall design and construct streetscape improvements within the entire historic district as set forth in Stipulation II.J, in accordance with provisions of the HPP and the Kentucky Heritage Council's streetscape design guidelines. As stated, the gateway landscaping will use site-specific schemes with space to allow local groups to provide plantings and maintenance of the sites.

Stipulation III.K.14. KYTC shall design and construct Project roadway lighting within the viewshed of the historic district as set forth in Stipulation II.D. As stated, the gateway will have no lighting under the bridge; it is possible that gas lamps that were removed and replaced over 30-years ago in Butchertown could be placed. These lamps are in storage and would need to be found and refurbished for possible use.

Stipulation III.L.3. provides that the Project make a reasonable effort to relocate Baer Fabrics to another historic property within the Phoenix Hill neighborhood. The Baer Fabrics Building was acquired for demolition as it fell within the right-of-way of the Project. Prior to demolition, the KY SHPO requested that Kentucky State Level Documentation (Documentation) be completed. The *Baer Fabrics Complex Documentation (Final Report June 2010)* was prepared in accordance with Documentation requirements and submitted to the KY SHPO on July 26, 2010. This task has been completed. The timeline for the building demolition is presently deferred, as there is a hold on demolition. FHWA has indicated that there is no construction until financial considerations can be resolved.

Stipulation III.L.4. provides for the preparation of a treatment plan/reuse options for rehabilitation of the Vermont American Buildings affected by the Project. A draft of the treatment plan was reviewed on August 2, 2010 and comments returned to CTS-GEC/Ratio on August 11, 2010 for resolution. The plan was revised and reviewed on August 30, 2010 and found satisfactory. On August 31, 2010, the draft plan was sent to the FHWA and KYTC for review. KYTC completed the review of the plan and provided comments to CTS-GEC/Ratio. FHWA has comments are expected in the next Reporting Period. Following this review process, the plan will be sent to the KY SHPO for review.

On December 12, 2010, KYTC conditionally accepted an offer to purchase the property in its entirety with the agreement that the owners provide proof that removal or mitigation of contaminants on the property would not be required. The appraisal is based on the site being considered clean, which requires that a portion of the building would need to be removed for the site to be considered clean. Additional negotiations with the property owner would continue in the next Reporting Period.

Stipulation III.M.1. provides for the preparation of an HPP for the CE RR/RRC. The final HPP was approved by the Co-chairs of the BSHCT at their meeting of September 14, 2010 with a recommendation to advance it to the BSMT for final review for approval. A copy of the Final HPP is to be sent to the BSMT in the next Reporting Period for approval.

Stipulation III.M.5. provides that prior to initiating construction activities, KYTC shall ensure that contractors shall develop and implement blasting/vibration plans to avoid damage to the listed and eligible properties. At the KHPAT meeting of August 26, 2010, it was recommended that all of the historic properties in the HD must have blasting and vibration plans developed prior to any activity. SDC 4 indicated that the blasting and vibration plans prepared for the initial blast were prepared in accordance with the ROD which identifies the blast zone at 500 feet. This appears to be a disconnect with the MOA which states that blasting and vibration plans be prepared for all of the specific properties identified in Stipulation III (of the MOA). Further discussions would be undertaken with the KYTC and SDC 4 to develop blasting and vibration plans for all historic properties in ensuing Reporting Periods.

Stipulation III.N. The KY SHPO received a letter dated June 16, 2010 from the activist group 'Say No To Tolls' to remove Drumanard from the NRHP. The petition submitted by the group provided documentation for removal of the property in accordance with Section 60.15 of 30 CFR 60. The KY SHPO responded on July 29, 2010 denying the request for delisting. In accordance with the regulations, the group had 45 days to continue to pursue the petition for removal of the individual listing of the property with the KY SHPO and the Keeper of the NRHP. In November 2010, the request to delist the property from the NRHP was denied by the Keeper.

Stipulation III.N.1. provides that the Project across the Drumanard property be contained within a tunnel to minimize adverse effects. On July 2, 2010, KYTC submitted a draft copy of an Indiana Bat Conservation MOA to the US Fish and Wildlife Service (USFWS), Frankfort Field Office, and requested that the agency enter into it to allow tree clearing within the period of April 1 – October 15 for the placement of directional bores. In a coordination meeting of July 16, 2010, the USFWS provided comments for revision of the MOA. Revisions were made and the MOA submitted to the Secretary, KYTC, for execution on August 23, 2010. The MOA was executed and a copy sent to the USFWS on September 1, 2010 so that the directional boring could commence.

Stipulation III.N.2. provides that FHWA shall make every effort to acquire or otherwise establish an historic preservation easement for the entire Drumanard historic property. Baseline documentation was prepared by SDC 4 for use in preparing the easement for Drumanard. On July 16, 2010, the KY SHPO stated that this documentation was satisfactory to his office. KYTC is pursuing the acquisition of the property. An offer has been made to the property owners and a counteroffer returned to KYTC; negotiations with the owners are continuing.

Stipulation III.O.1. provides that KYTC shall make a reasonable effort to acquire a preservation easement for the tract of land within the NRHP boundary of the Allison-Barrickman house. Coordination with the property owner is continuing for the placement of an easement. The property owners are in receipt of the information requested from SDC 4. To date, no further coordination with them has taken place. It is probable that a meeting will be scheduled to further discuss the easement as the right-of-way acquisition phase is proceeding in the Kentucky East End.

Stipulation III.P.1. provides for the preparation of a treatment plan for Rosewell to minimize damage to the historic property. The development of the treatment plan continued in this reporting Period. SDC 4 presented the 100% plans and specifications at the KHPAT meeting of August 26, 2010. The presentation outlined repairs to the hip beam, floor joist framing on the first floor, the kitchen floor, the fascia/soffit/gutter/roof, the smokehouse, interior finishes and exterior wall treatments. On November 22, 2010, the final 100% plans were submitted to the KY SHPO by CTS-GEC for final approval; comments are pending and expected in the next Reporting Period.

Metro would be the lead agency in overseeing the completion of the construction activities and in the contractor prequalification process. An MOA is under development between KYTC and Metro to oversee this process. A pre-qualification and bid package is under preparation to advertise for qualified contractors. A pre-bid meeting will be held at Rosewell prior to the acceptance of the pre-qualification packages. The KY SHPO would be engaged in the pre-qualification and bid package and construction letting processes.

Stipulation III.P.3. provides that KYTC shall place a preservation easement on the property and sell the property to a local preservation organization or other party acceptable to the BSHCT or donate the property to a local government. SDC 4 is working to prepare Rosewell for re-sale or public use as previously documented in Stipulation III.P.1.

STIPULATION IV: Archaeological Resources

The final identification, evaluation and determination of Project effects for archaeological resources were phased because alternatives consisted of large corridors where access was restricted during the FEIS phase.

Stipulation IV.A.1. states that FHWA may withhold or limit public disclosure of information about historic properties.

Stipulation IV.A.2. FHWA shall ensure that consultation with Indian Tribes is conducted in a manner consistent with 36 CFR 800.2. **Bridges Native American Consultation:** There has been no NAC consultation during the current Reporting Period.

Stipulation IV.A.3. In order to maximize the opportunity to avoid adverse effects, FHWA will make every effort to complete identification and evaluation of archaeological resources at the earliest possible time in Project Design. **Archaeological GIS:** The GIS is being developed to bring together the wealth of historical information available for downtown Louisville only, which will guide the archaeology of the Downtown section. The final report is pending. **Geotechnical Monitoring for Archaeological Deposits (KY):** The information gleaned from any monitoring will be incorporated into the Archaeological GIS to inform both historic and prehistoric probability models. **Hazmat Area Archaeology (KY):** Additional information from geotechnical borings in areas with potential hazardous materials would be available following Phase II testing that will inform potential archaeological investigations in those areas. In some cases, it is likely that hazardous materials will prohibit archaeological testing or testing may need to wait until cleanup has been completed.

Stipulation IV.A.4. In implementing Stipulation IV, FHWA may consult with the parties listed in Attachment F [consulting parties list] and others identified in accordance with 36 CFR 800.2.

Stipulation IV.A.5. FHWA, in consultation with the SHPOs, Indian Tribes when appropriate and other parties deemed appropriate by FHWA, will take reasonable measures to avoid disinterment and disturbance to human remains and grave goods of religious and cultural significance to Indian Tribes, including modification of the Project. **Human Remains Protocol:** A step-by-step protocol for human remains encountered during archaeological testing was deemed prudent given the potential for human remains in the project setting.

Stipulation IV.B.1-2. States that before letting any type of Project construction in the APE or selecting sites for ancillary activities associated with the Project, FHWA shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in accordance with applicable Federal and state standards and guidelines listed in Stipulation VIII.B. and lists examples of ancillary areas. **Section 1A Archaeological Exploration:** A Phase 1 archaeological survey of Section 1A was conducted in 2006 and three previously unrecorded sites were found: 15JF716, 15JF717 and 15JF718. The KY SHPO issued a conditional clearance letter in March 2007; the final report was received in December 2007. Following review with KY SHPO, additional revisions to this report were requested by February 20, 2009. KYTC provided a request to revise portions of the report on March 25, 2009. Final approval was received on June 2, 2010. **Section 4 Archaeological Exploration:** Due to lack of landowner permission, Phase II work at Sites 15JF678, 15JF679, and 15JF719 (Section 4) has been postponed until after property has been purchased. Phase II work at Site 15JF720 was completed and a report issued on July 29, 2008. The report recommended that the site was eligible for inclusion in the NRHP. The KY SHPO agreed with that conclusion; however, KYTC and FHWA disagreed. In a coordination meeting with FHWA, KYTC, SDC 4 and CTS-GEC on October 2, 2008, SDC 4 was tasked to redesign the section in order to avoid impacting this site. A preliminary design is to be developed to span the site and avoid an adverse effect. KYTC and FHWA must review the redesigned plans and coordinate with KY SHPO for their review and concurrence. **Rosewell Treatment Plan Archaeology:** As a by-product of the structural assessment of the house, the entire basement of the house has been identified as a sensitive resource and no work can occur in the basement (not even concrete removal or repair) without prior archaeological review. The entire property is a NRHP listed resource and no work can occur without consulting KYTC and SHPO. **Section 1 Archaeological Database and Document:** A GIS database and accompanying document have been provided to KYTC and distributed to FHWA, SHPO, and CTS-GEC for review and comment in a prior Reporting Period. The database and document await final concurrence from FHWA and the SHPO. The database and document provide an assessment of archaeological potential by parcel and provide a base for decisions regarding archaeological investigations for the Section 1 portion of the project. **Freight House Archaeology:** On July 13, 2010, two soil borings were placed at the Freight House to determine how to design required footing repairs. The IN SHPO recommended that prior to the placement of any plantings or other disturbances, an archaeological records check, subsurface reconnaissance, and an archaeological monitoring plan would be required prior to the actual field work. On September 9, 2010, a scope of work for the records check/archival research, production of an archaeological monitoring plan, the monitoring fieldwork, report preparation and curation of artifacts (if necessary) at the Freight House was presented to the INDOT for review and comment. Upon concurrence from INDOT in the next

Reporting Period, the scope would be coordinated with the Indiana State Archaeologist (IN SHPO office) for review and concurrence.

Stipulation IV.B.3. States that any human remains and grave good encountered should be treated in a sensitive, respectful and careful manner, avoiding disinterment and photography, if at all possible. In addition, it states that the SHPOs, Indian Tribes, and any other party deemed appropriate by FHWA will be notified within 48 hours if remains that may be significant to Indian Tribes are identified. No human remains were identified during this period.

Stipulation IV.B.4. A Plan(s) for the identification and evaluation of archaeological resources will be developed by FHWA in consultation with the SHPOs, Indian Tribes and other parties deemed appropriate by FHWA. **Archaeological Plan:** After consultation, the Project team agreed that the plan should address auxiliary areas (waste, borrow, staging, and the like), the Archaeological GIS, SDC 2 and 5 underwater surveys and SDC 4 Phase II activities. The plan shall also include or make reference to the Human Remains Protocol developed for this Project and may address artifact conservation and final curation. **Artifact Curation Policy:** A final approved policy from the KY SHPO is pending. **Artifact Conservation:** Further information concerning potential conservation facilities and associated charges is pending.

Stipulation IV.B.5. FHWA shall prepare and distribute final Identification and Evaluation reports in accordance with Stipulation IV.F. As stated, a final Sonar Report detailing the results of the underwater archaeology has been accepted and distributed.

Stipulation IV.C.1-6. States that studies shall be completed with a level of effort consistent with 36 CFR 800.4 and provide enough information to determine which archaeological resources are eligible for the NRHP. Indian Tribes will be consulted for their special expertise and FHWA shall notify Indian Tribes and other parties, whom so request, of eligibility determinations. Provides mechanisms for dispute resolution regarding eligibility and states that any party notified of determinations have 15 days to object in writing. All studies conducted during this Reporting Period have been completed in compliance with 36 CFR 800.4 and have provided sufficient information to make decisions. No eligibility determination disputes have occurred during this period. **Section 4 Archaeological Exploration:** Due to lack of landowner permission, Phase II work at Sites 15JF678, 15JF679 and 15JF719 (Section 4) has been postponed until after property has been purchased. Phase II work at Site 15JF720 was completed and a report issued on July 29, 2008. The report recommended that the site was eligible for inclusion in the NRHP. The KY SHPO agreed with that conclusion; however, KYTC and FHWA disagreed. In a coordination meeting with FHWA, KYTC, SDC 4 and CTS-GEC on October 2, 2008, SDC 4 was tasked to redesign the section in order to avoid impacting this site. A preliminary design is to be developed to span the site and avoid an adverse effect. KYTC and FHWA must review the redesigned plans and coordinate with KY SHPO for their review and concurrence. **Freight House Archaeology:** On July 13, 2010, two soil borings were placed at the Freight House to determine how to design required footing repairs. The IN SHPO recommended that prior to the placement of any plantings or other disturbances, an archaeological records check, subsurface reconnaissance and an archaeological monitoring plan would be required prior to the actual field work. On September 9, 2010, a scope of work for the records check/archival research, production of an archaeological monitoring plan, the monitoring fieldwork, report preparation and curation of artifacts (if necessary) at the Freight House was presented to the INDOT for review and comment. Upon concurrence from INDOT in the next Reporting Period, the scope

would be coordinated with the Indiana State Archaeologist (IN SHPO office) for review and concurrence.

Stipulation IV.D.1-3. FHWA shall, in consultation with SHPOs, Indian Tribes, and other parties deemed appropriate by FHWA, determine if the Project will adversely affect archaeological resources determined eligible for inclusion in the NRHP and, if adverse impacts cannot be avoided, shall develop a treatment plan in accordance with Stipulation IV.E. Any dispute regarding the determination of effects on eligible archaeological resources shall be resolved in accordance with Stipulation XIII Dispute Resolution. KYTC received an archaeological report detailing the data recovery efforts for sites determined to be eligible for the NRHP in Section 1A. Following review with KY SHPO, additional revisions to this report have been requested of the consultant by January 2009. Copies will be distributed to all appropriate parties once the report has been accepted on receipt.

Stipulation IV.E.1-6. FHWA shall, in consultation with SHPOs, Indian Tribes and other parties deemed appropriate by FHWA, develop a treatment plan for NRHP eligible sites that cannot be avoided. Implementation of the treatment plan must be completed for each site prior to the initiation of any Project construction activities that could affect the site. Treatment of human remains will be determined by FHWA on a site-by-site basis through consultation with SHPOs, Indian Tribes and other parties deemed appropriate by FHWA. FHWA shall provide ACHP, SHPOs, Indian Tribes who have expressed interest in the site, and other parties deemed appropriate by FHWA 30 calendar days to review and provide comment on final Treatment Plans(s). Following the implementation of a treatment plan, FHWA may elect to monitor construction activities in selected portions of the right of way. No treatment plans were developed during this Reporting Period. In addition, no locations where treatment plans were implemented have gone to construction or been subjected to monitoring.

Stipulation IV.F.1-5. FHWA shall ensure that all archaeological work is performed or supervised by person(s) meeting the *Secretary of the Interior's Professional Qualification Standards* in archaeology and that the results of all work are reported in a professional manner consistent with SHPO standards for each state. Sensitive information regarding archaeological sites, human remains and grave goods shall be kept confidential from the public; the ACHP, SHPOs, Indian Tribes, and other parties deemed appropriate by FHWA shall have 30 days to comment on any such reports that are developed.

Stipulation IV.G.1-3. Upon completion of work, FHWA shall provide copies of final reports to SHPOs, State Transportation Agencies (STAs), and Indian Tribes when appropriate. In consultation with SHPO, FHWA shall prepare final reports for dissemination to the public libraries, educational institutions, and other repositories in Jefferson and Clark Counties and Indian Tribes as appropriate; however, FHWA will ensure disseminated reports do not contain sensitive information regarding human remains and grave goods, or the location, character and ownership of archaeological sites. In order to adhere to measures outlined in the MOA concerning the protection of detailed information about archaeological sites, only those reports detailing the results of treatment plans will be disseminated in accordance with this stipulation. The final report concerning the treatment of (Kentucky) Sites 15Jf716, 15Jf717 and 15Jf718 will be treated in accordance with this stipulation when ready. Sites 15Jf716, 15Jf717 and 15Jf718 have been excavated. The KYTC is completing review of the Phase I/salvage report for the three sites (15Jf716, 15Jf717, and 15Jf717) and for the accelerated I-65 (Kentucky) Downtown.

The KYTC recommended substituting a general audience booklet and/or website in place of the technical archaeological report for sites 15Jf716, 15Jf717, and 15Jf718. The technical report is long and full of jargon. Materials aimed at the layperson would better fulfill the objective of the stipulation of the MOA. The BSMT approved the use of the booklet and/or website formats for these sites and KYTC identified a funding source. KYTC agreed to work with its archaeological consultants in developing the media and defining a schedule for completion. The materials could be made available to broad audiences.

STIPULATION V: Unanticipated Discoveries

No previously unidentified property was discovered during the Reporting Period nor was a previously identified historic property affected in an unanticipated manner.

STIPULATION VI: Additional Historic Properties and Effects

No sites for staging, wetland mitigation, borrow or waste, dredge disposal or other construction activities associated with the Project were identified during the Reporting Period.

STIPULATION VII: Excess Right of Way

No excess right of way was identified during the Reporting Period.

STIPULATION VIII: Performance Standards

The FHWA shall ensure that the performance of all cultural resources work required in implementing this MOA shall be performed by or under the supervision of individuals that meet the *Secretary of the Interior's Professional Qualification Standards*. All work performed during this Reporting Period was performed or directly supervised by individuals who meet or exceed the *Secretary of the Interior's Professional Qualification Standards*.

STIPULATION IX: Progress Reports

Progress Report Number 15 for the Reporting Period of July 1, 2010 – December 31, 2010 was developed in accordance with Stipulation IX and will be sent to the signatories, concurring parties and HPAT members (identified in Attachment A). Prior to this Progress Report, the following Progress Reports have been provided:

Report No. 1 for April 1, 2003 – December 31, 2003 was sent on July 21, 2004
Report No. 2 for January 1, 2004 – June 30, 2004 was sent on September 20, 2004
Report No. 3 for July 1, 2004 – December 31, 2004 was sent on April 22, 2005
Report No. 4 for January 1, 2005 – June 30, 2005 was sent on October 10, 2005
Report No. 5 for July 1, 2005 – December 31, 2005 was sent on February 20, 2006
Report No. 6 for January 1, 2006 – June 30, 2006 was sent on November 28, 2006
Report No. 7 for July 1, 2006 – December 31, 2006 was sent on May 9, 2007
Report No. 8 for January 1, 2007 – June 30, 2007 was sent on December 17, 2007
Report No. 9 for July 1, 2007 – December 31, 2007 was sent on March 3, 2008.
Report No. 10 for January 1, 2008 – June 30, 2008 was sent on September 9, 2008
Report No. 11 for July 1, 2008 – December 31, 2008 was sent on March 2, 2008

Report No. 12 for January 1, 2009 – June 30, 2009 was sent on September 3, 2009
Report No. 13 for July 1, 2009 – December 31, 2009 was sent on April 6, 2010
Report No. 14 for January 1, 2010 – June 30, 2010 was sent on September 1, 2010

STIPULATION X: Project Modification

The FHWA is working to process an amendment to the MOA for the Swartz Farm Rural HD, due to the razing of the farmhouse, the subsequent loss of NRHP eligibility of the HD and the determination that the CPH is not individually eligible for the NRHP. A proposed amendment is under review by FHWA. If found satisfactory, FHWA intends to initiate coordination with the MOA Signatories to complete this process. Upon approval, a copy of the amendment will be provided to the IHPAT members for information in the next Reporting Period.

STIPULATION XI: Amendment

The FHWA is working to process an amendment to the MOA for the Swartz Farm Rural HD, due to the razing of the farmhouse, the subsequent loss of NRHP eligibility of the HD and the determination that the CPH is not individually eligible for the NRHP. A proposed amendment is under review by FHWA. If found satisfactory, FHWA intends to initiate coordination with the MOA Signatories to complete this process. Upon approval, a copy of the amendment will be provided to the IHPAT members for information in the next Reporting Period.

STIPULATION XII: Failure to Comply/Termination

No signatories to the MOA identified any concerns during the Reporting Period that the terms of the MOA cannot be or are not being carried out.

STIPULATION XIII: Dispute Resolution

No written objections were filed during the previous Reporting Period. The Dispute Resolution for Butchertown is pending final resolution by the FHWA.

STIPULATION XIV: Duration

The MOA is in effect through April 1, 2023.

PART III – PROJECT MILESTONES

Coordination with the HPATs in the development of plan details to implement mitigation measures is identified in the MOA at a number of project milestones, including:

Preliminary Plans (about 30%),
Right of Way Plans (about 60%)
Final Plans (about 90%)

Attachment D (following) provides a schedule with milestones anticipated for the Project in the next Reporting Period. It has been developed in more detail and will continue to be revised as a part of the future preparation of this Progress Report.

ATTACHMENT A

SIGNATORIES:

Federal Highway Administration

Advisory Council on Historic Preservation

Indiana State Historic Preservation Officer

Kentucky State Historic Preservation Officer

INVITED SIGNATORIES:

Indiana Department of Transportation

Kentucky Transportation Cabinet

CONCURRING PARTIES:

American Indian Movement – Mobile Chapter (MO-AIM)

Butchertown Neighborhood Association

City of Prospect

The Eastern Band of Cherokee Indians

The Eastern Shawnee Tribe of Oklahoma

The Delaware Nation

Louisville Metro Government

ATTACHMENT B

SECTION 106 MEMORANDUM OF AGREEMENT OUTLINE OF DOCUMENT CONTENT

- I. Project Coordination
 - A. Advisory Teams
 - B. Bi-State Historic Consultation Team
 - C. Bi-State Management Team
 - D. Ombudsmen
- II. Project Development
 - A. Project Goals
 - B. Public Involvement
 - C. Context Sensitive Solutions
 - D. Roadway Lighting
 - E. Noise Abatement
 - F. Historic Preservation Plans
 - G. Survey Updates
 - H. Historic Preservation Easements
 - I. National Register Documentation and Nomination
 - J. Streetscape Improvements
 - K. Interpretative Signage
 - L. Blasting and Vibration
 - M. Timing of Construction Activities
 - N. No-Work Zones
 - O. Smart Growth Conference
 - P. Education and Interpretation
- III. Site Specific Mitigation
 - A. Train Depot – Indiana
 - B. Colgate-Palmolive Historic District
 - C. Ohio Falls and Locomotive Historic District
 - D. George Rogers Clark Memorial Bridge
 - E. Old Jeffersonville Historic District
 - F. INAAP Igloo Storage Historic District
 - G. Lentz Cemetery
 - H. Lime Kilns within the Utica Lime Industry Multiple Property Listing
 - I. Swartz Farm Rural Historic District
 - J. Trolley Barn
 - K. Butchertown Historic District
 - L. Phoenix Hill Historic District
 - M. Country Estates Historic District/River Road Corridor
 - N. Drumanard
 - O. Allison-Barrickman House
 - P. Rosewell
 - Q. Belleview
- IV. Archaeological Resources
 - A. Implementation Standards

- B. Identification
- C. Evaluation
- D. Assessment of Effects
- E. Treatment
- F. Qualifications and Reporting
- G. Distribution of Final Reports
- V. Unanticipated Discoveries
- VI. Additional Historic Properties and Effects
- VII. Excess Right of Way
- VIII. Performance Standards
- IX. Progress Reports
- X. Project Modification
- XI. Amendment
- XII. Failure to Comply/Termination
- XIII. Dispute Resolution
- XIV. Duration

ATTACHMENT C
MOA COMMITMENT TRACKING TABLE
(Note - the intent of Attachment C is to provide an summary of commitments made in the Project MOA and provide a status of each. For the complete description of each commitment, please refer to the Project MOA)

STIPULATION 1 - PROJECT COORDINATION																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U		CTS	NR	NR	INDOT/KYTC/INSHPO/KHC	A	1	3	Advisory Teams	HPATs	December 2003	December 2003	December 31, 2003 (to convene initial HPATs)	HPAT - December 16, 2003 HPAT - December 17, 2003	None	Bi-monthly HPAT meetings to be held in addition to special sessions, which are scheduled at the discretion of the BS&CT	During the Reporting Period, meetings of the HPAT were convened on 8/18/03, 10/13/03 and 10/15/03. The HPAT was convened on 8/29/03. The HPATs scheduled for 12/14/03 and 12/16/03 were canceled due to lack of agenda items.
O		CTS	NR	NR	INDOT/KYTC/INSHPO/KHC		2	3	Advisory Teams will assist the BS&CT and BS&MT in developing Project design details to implement measures stipulated in the MOA	HPATs	December 2003	December 2003	Duration	Ongoing	None	BS&CT to engage HPATs for recommendations. Recommendations forwarded by BS&CT to BS&MT for decision	Work continued during the Reporting Period on this stipulation
D		CTS	NR	NR	INDOT/KYTC/INSHPO/KHC		3	4	Additional participants may be invited to participate on the Advisory Teams as the discretion of the Advisory Team Co-Chairs.	HPATs	December 2003	December 2003	Duration	Ongoing	None	Formal requests made to be considered by the BS&CT with final decision made by the BS&MT	There were no requests during the Reporting Period for additional participants on either the HPAT or KHPAT
D		NR	NR	NR	INDOT/KYTC/INSHPO/KHC		2	4	ACHP may participate as it sees fit on an ad-hoc basis	HPATs	December 2003	December 2003	Duration	Ongoing	None	FHWA to engage, as appropriate by the BS&CT and BS&MT	No activity in this Reporting Period
D	INDOT/INSHPO/KYTC/KHC	CTS	NR	NR	INDOT/KYTC/INSHPO/KHC		3	4	Co-chairs will convene additional meetings as the Advisory Teams to review plans, comment & make recommendations	HPATs	December 2003	December 2003	Duration	Ongoing	None	Bi-monthly HPAT meetings to be held in addition to special sessions, which are scheduled at the discretion of the BS&CT	No activity in this Reporting Period

STIPULATION 1 - PROJECT COORDINATION (Cont.)																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U		CTS	NR	NR	INDOT/KYTC/INSHPO/KHC			4	Prior to selection of contractors for preparation of RFPs and Treatment Plans	HPATs	December 2003	December 2003	None Established	HPATs - July 14-15, 2004 Roadway Treatment Plan - December 8, 2005	None	HPAT recommendations to be considered by BS&CT and elevated to BS&MT for final decision	No activity in this Reporting Period
U		CTS	R, GP	AR	INDOT/KYTC/INSHPO/KHC			4	Prior to the preliminary plan final check inspections (about 50%)	HPATs	Varies according to section	1) Section 1 - 8/22/05 2) Section 4 - 10/18/05 3) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 8/22/05 Section 8 - 12/15/05	None Established	1) Section 1 - 8/22/05 2) Section 4 - 10/18/05 3) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 8/22/05 4) Section 8 - 12/15/05	None	Plans to be presented to HPATs by SDC. HPAT recommendation to be considered by BS&CT and elevated to BS&MT for final decision	Section 8 presented the 30% plans to the HPAT and AAT on 12/15/05
U		CTS	R, GP	AR	INDOT/KYTC/INSHPO/KHC			4	After preliminary plans are provided, to report on how comments were addressed (about 30%)	HPATs	Varies according to section	1) Section 1 - 10/25/05 2) Section 4 - 12/14/05	None Established	1) Section 1 - 10/25/05 2) Section 4 - 12/14/05	None	Plans to be presented to HPATs by SDC. HPAT recommendation to be considered by BS&CT and elevated to BS&MT for final decision	No activity in this Reporting Period
U		CTS	R, GP	AR	INDOT/KYTC/INSHPO/KHC			4	Prior to design approval (about 80%)	HPATs	Varies according to section	1) Section 1 - 3/28/07 2) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 2/15/05	None Established	1) Section 1 - 3/28/07 2) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 2/15/05	None	Plans to be presented to HPATs by SDC. HPAT recommendation to be considered by BS&CT and elevated to BS&MT for final decision	No activity in this Reporting Period

U		CTS	R GP	AR	INDOT/KYTC/ INSHPOV/KHC		9	4	Prior to the final plan inspections (about 90%)	HPATs	Varies according to section	1) Section 4 (US 42 Ramp Relocation & Exploratory Turnoff) - 4/27/08	None Established	1) Section 4 (US 42 Ramp Relocation & Exploratory Turnoff) - 4/27/08	None	Plans to be presented to HPATs by SDC. HPAT recommendation to be considered by BSMT and elevated to BSMT for final decision.	No activity in this Reporting Period.
AI		CTS	R GP	AR	INDOT/KYTC/ INSHPOV/KHC		9	4	After final plans are completed, to report on how comments were addressed	HPATs	Varies according to section	December 2022	None Established		None	Plans to be presented to HPATs by SDC. HPAT recommendation to be considered by BSMT and elevated to BSMT for final decision.	No activity in this Reporting Period.
						B		4	Bi-State Historic Consultation Team								
D	INDOT/ INSHPOV/ KYTC/ KHC	CTS	NR	NR	INDOT/KYTC/ INSHPOV/KHC		2	5	BSMT will advise the Bi- State Management Team as to appropriate design & construction approaches so as to comply with the MDA	None identified	December 2020	December 2022	Duration	Ongoing	None	Bi-monthly BSMT meetings held to ensure proper implementation of process	Items were carried forward by the BSMT to the BSMT as needed. Recommendations elevated from the BSMT to the BSMT occurred on 8/20/10 to approve PIR No. 14 for construction and on 9/14/10 to advance the CTS RUMARC HP HPAT for final approval.
D	INDOT/KYTC	NR	NR	NR	INDOT/KYTC/ INSHPOV/KHC		3	5	BSMT may make final decisions as delegated by the Bi-State Management Team	None identified	December 2020	December 2022	Duration	Ongoing	None	Bi-monthly BSMT meetings held to ensure proper implementation of process	Stipulation not implemented during the Reporting Period, but will be considered through the duration of the Project.

STIPULATION 1 - PROJECT COORDINATION (Cont.)

Status	Task/Manager & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	PHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
D	INDOT/ INSHPOV/ KYTC/ KHC	CTS	NR	NR	INDOT/KYTC/ INSHPOV/KHC		4	5	BSMT shall convene in consider recommendations provided by the HPATs and prepare recommendations to the BSMT.	None identified	December 2020	December 2022	Duration	Ongoing	None	Bi-monthly BSMT meetings held to ensure proper implementation of process.	The BSMT met three times during the Reporting Period on 8/13/10, 9/14/10 and 11/10/10. Recommendations were carried forward to the BSMT, as discussed.
D	INDOT/ INSHPOV/ KYTC/ KHC	CTS	NR	NR	INDOT/KYTC/ INSHPOV/KHC		5	6	BSMT to ensure comments & recommendations given & if conclusion in preparing the recommendations to the Bi- State Management Team	None identified	December 2020	December 2022	Duration	Ongoing	None	Bi-monthly BSMT meetings held to ensure proper implementation of process.	Condition has been met and will continue to be met the duration of the Project.
D	INDOT/KYTC/ PHWA	NR	NR	NR	INDOT/KYTC/ PHWA		2	6	Bi-State Management Team to ensure consultation services provided include professionals with the appropriate experience to implement sections of MOA.	None identified	December 2020	December 2022	Duration	Ongoing	None	Bi-monthly meetings of the BSMT to be held to ensure work is carried out by qualified professionals.	Condition has been met and will continue to be met the duration of the Project.
D	INDOT/KYTC/ PHWA	CTS	NR	NR	CTS		3	5	Bi-State Management Team to prepare progress reports as set forth in Stipulation 10.	None identified	December 2020	December 2022	Duration	Ongoing	None	BSMT to ensure consistent progress regular progress reports every six months. Reports to be reviewed by BSMT and elevated to BSMT for approval.	Condition to be met the duration of the Project.
D	INDOT/KYTC/ PHWA	CTS	NR	NR	INDOT/KYTC/ PHWA		4	5	Bi-State Management Team to give full consideration to recommendations of BSMT for incorporation into final plans.	None identified	December 2020	December 2022	Duration	Ongoing	None	Bi-monthly meetings of the BSMT to be held to consider the recommendations of the BSMT.	Condition has been met and will continue to be met the duration of the Project.
						O		5	Construction								
D	INDOT/ KYTC	CTS	NR	NR	INDOT/KYTC		3	5	Ombudsman will be responsible for communicating with the public and investigating reported problems on all aspects of the Project. Will report to the Bi- State Management Team.	None identified	December 2020	December 2022	Duration	Ongoing	None	Ombudsman will be involved with meetings of the HPATs and BSMT to stay current with historic aspects of the Project. Ombudsman will have regular office hours to facilitate public concerns.	The Ombudsman continued to communicate with the public and investigate potential problems.

KEY:

1 - Status																								
G - Completed	J - Underway				O - Duration of Project				NR - Not Required				NI - Not Yet Initiated											
2 - Task/Manager																								
STAY	INDOT - Indiana Department of Transportation								KYTC - Kentucky Transportation Cabinet															
Federal Agency	FHWA - Federal Highway Administration																							
SHPOs	INSHPO - Indiana State Historic Preservation Division & Cities								KHC - Kentucky Heritage Council															
GEC	B - B&B Architects				CTS - Community Transportation Solutions				A - AND Group				GP - Gully and Papp											
KY SDCs	L - LAW Lachner				KTA - KY Kentucky Transportation Association																			
IN SDCs	BPS - Butler, Edmister and Steiner				IAP - Indiana Approach Partners																			
SDCs 2 & 3	PR - Parsons Brinckerhoff				MR - Michael Baker																			
	NR - Not Required																							

STIPULATION II - PROJECT DEVELOPMENT

FHWA/STAP/SHPO		Taskmaster(s) & Lead				MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
Status*		GEC	Sub-consultant	SOC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
D		CTS	R, GP	AI	CTS	A		6	Project goal is to avoid adverse effects to the environment and historic properties to the maximum extent possible.	HPATs, AATs, RAC, General Public	December 2003	December 2003	Duration	Ongoing		Continued coordination with HPATs, AATs, RAC and SOC.	Ongoing
D		CTS	R, GP	AI	INDOT/KYTC	B		6	Informational meetings convened by respective STAs for public views.	City of Jeffersonville, Clark County Commissioners, Metro Government and General Public	December 2003	December 2003	None established	Ongoing		Public to be engaged at the discretion of the BSMT	No activity in this Reporting Period
D		CTS	R, GP	AI	CTS/SOCs	C		7	The roadway, bridge, and other Project elements shall be designed and constructed with sensitivity to aesthetic values, historic cultural landscapes and the historic context.	HPATs	September 2004	December 2012	None established	Ongoing		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	In October 2010, a presentation on the proposed Bulchertown Gateway and Clinton Sound Wall was made to the local community to review logo options for the walls.
D		CTS	R, GP	AI	CTS/SOCs	D		7	Roadway lighting within the watershed of historic properties & navigational lighting designed and constructed to minimize dispersion of light beyond highway right of way and include state-of-the-art techniques and systems.	HPATs	September 2004	December 2012	None established	Ongoing		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	In Bulchertown, the gateway will have no lighting under the bridge. It is proposed to use gas lamps that were removed and replaced over 30 years ago.
D		CTS	R, GP	AI	CTS/SOCs	E		7	Design Project so as to minimize adverse noise effects on historic properties in accordance with state and federal noise regulations, policies, and guidance. Including special consideration of enhanced noise abatement measures for historic properties.	HPATs	September 2004	December 2012	None established	Ongoing		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	In Section 1, coordination with Clinton occurred on July 28, 2010 to discuss the construction of noise walls with a brick facade. The neighborhood was in agreement.
						F		7	HPPs prepared for historic properties and districts.	HPATs	July 2004	Continuous	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	To be established for site specific properties indicated in Stipulation II.
U		CTS	R, GP	NR	CTS		1	8	HPPs to meet the following provisions:	HPATs	July 2004	Continuous	None established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	
C		CTS	R, GP	NR	CTS/INDOT/KYTC/KHG/INSHPO		a	8	Scopes of Work to be developed in consultation with the respective HPATs.	HPATs	March 2004	July 2004	None established	July 2004		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	
U		CTS	R, GP	NR	CTS		b	8	To be developed in consultation with owners of historic properties and/or related neighborhoods.	HPATs	July 2004	Continuous				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP. Several meetings have occurred with stakeholders of historic properties where HPPs are being developed.
U		CTS	R, GP	NR	CTS		c	8	Consent to be obtained prior to entry on privately owned property.	HPATs	July 2004	Continuous				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Obtained as needed.

STIPULATION II - PROJECT DEVELOPMENT (Cont.)

Status*	FHWA/STAP/SHPO	Taskmaster(s) & Lead				MOA Reference		Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation			
		GEC	Sub-consultant	SOC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U		CTS	R, GP	NR	CTS		d	8	To consider and build upon existing studies and plans.	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	Continuous				HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP
U		CTS	R, GP	NR	CTS		e	8	To be developed in cooperation with the appropriate local government and approved by the respective SHPO.	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	Continuous				HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP. Louisville Metro Government & City of Jeffersonville have been involved in the development of the respective HPPs.
U		CTS	R, GP	NR	CTS		f	8	To recognize the unique character, content, and historic significance of each resource/area. Identify ways to protect and enhance the historic qualities.	HPATs	July 2004	Continuous				HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP.

U		CTS	R, GP	NR	CTS		g	8	To consider land use, transportation patterns & other urban/suburban planning issues	HPAT's, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	Continuous				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Condition considered throughout development of the HPP
NI		CTS	R, GP	NR	CTS		h	8	Present to relevant city/county governments & KIPDA for incorporation into local land use planning processes	HPAT's, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	Continuous				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	
U		CTS	R, GP	NR	CTS		2	8	HPPs to be prepared for the following properties				Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	
U		CTS	R, GP	NR	CTS		a	8	Old Jeffersonville Historic District	HPAT	March 2006	September 2009	Prior to Preliminary Field Check Plans	September 28, 2009	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Final HPP approved by the BSMT on 9/28/09
NI		CTS	R, GP	NR	CTS		b	8	Township of Local Historic Linn Industry	HPAT, Linn Linn Owners	May 2006	June 2010	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Final HPP pending completion of the MPOF and HHP nominations
U		CTS	R, GP	NR	CTS		c	8	Swartz Farm Rural Historic District	HPAT, Swartz Farm and Swartz-Voigt-Marble House Owners	January 2006	Unknown	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Possible amendment to MOA pending additional action from FOWA. Coordination with MOA signatories pending final resolution of amendment. Final approved amendment to be provided to HPAT
NR		CTS	R, GP	NR	CTS		d	8	James Smith Rural Historic Farmstead	HPAT	October 2005	August 2008	Prior to Preliminary Field Check Plans	August 7, 2008	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Owners effect to not donate the portion of the property determined eligible for the NHP by not responding to the established deadline, June 14, 2008
U		CTS	R, GP	NR	CTS		e	8	Butcherstown Historic District	HPAT, Butcherstown Business Association	November 2004	December 2010	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	The Final HPP is pending completion of dispute resolution
C		CTS	R, GP	NR	CTS		f	8	Phoenix Hill Historic District	HPAT, Phoenix Hill Neighborhood Association	November 2004	November 2009	Prior to Preliminary Field Check Plans	November 23, 2009	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Final HPP approved by the BSMT on 11/23/09. HPP sent to City of Louisville on 1/20/10
U		CTS	R, GP	NR	CTS		g	8	Country Estates of River Road / River Road Corridor	HPAT	April 2006	June 2010	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Final HPP approved by Co-chairs on 9/14/10 with recommendation to advance it to the BSMT for final approval
						G		3	Survey Updates				Within five years following ROD		Revised Clark County Interim Report and Jefferson County Inventory	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	
U	INDOT	NR	NR	NR	INSHPO/INDOT		7	8	Clark County Interim Report and Indiana Historic Sites and Structures Inventory of Clark County	Clark County Commissioners and INSHPO	April 2006	February 2010	September 8, 2008		Revised Clark County Interim Report	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	For Clark County, the inventory has been translated to an online database and is under review for accuracy

STIPULATION 11 - PROJECT DEVELOPMENT (Cont.)

Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FWA/ST/SHPO	DEC	Sub-consultants	SOC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI	KYC	NR	NR	NR	CTS		2	8	The Jefferson County Inventory and Survey of Historic Sites in Kentucky	Metro Government and KIC	October 2008	March 2010	September 8, 2008		Revised Jefferson County Inventory	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Final final of Survey under review by KY SHPO for approval

U		CTS	NR	BS, JF KTA & HWL	INDOT/ KYTC	H		9	Historic Preservation Easements to be placed on properties identified in Stipulation III in perpetuity	INSHPO and KYTC	January 2008	January 2011	None established		Preservation Easement	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	For Wesley House, the easement is pending negotiation between the property owners and KYTC. For Edson House, the property owners have agreed to placement of the easement, a site visit is to be scheduled to begin the preparation of it. For Drummond, a Baseline Documentation, which was completed for use in development of the easement, was accepted by the KY SHPO on 7/16/10. After rehabilitation, an easement is to be placed on the Wright House
U	INDOT	CTS	R, GP	NR	INDOT/ CTS	I		6	Preparation of NRP-P documentation and nomination of properties identified in Stipulation III.	INSHPO	April 2008	November 2008	Within first three years following the RDO (September 2006)		Completed NRP Form	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Refer to Stipulation III.A, 4, B, 3 III.C.1, and D.11.8
U		CTS	R, GP	AI	KTA/INDOT	J		10	Streetscape improvements to be designed in coordination with the respective SHPOs and occur within the public right-of-way. Obtain right-of- way title holder approval prior to use.	HPATs	March 2008	March 2012	None established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	To be established for site specific properties indicated in Stipulation III.
U		CTS	R, GP	AI	INDOT/ KTA/LIAP	K		10	Interpretative signage to be placed within the right-of-way of public streets and on easements to explain significance of the historic properties. Obtain right-of-way title holder approval prior to use.	HPATs	March 2008	March 2012	None established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	To be established for site specific properties indicated in Stipulation II.
						L		10	Blasting & Vibration								
U		CTS	NR	AI	CTS		1	10	Ensure construction blasting/vibration plans and bridge pier construction plans are developed by the contractor(s).	Owners of properties identified in MOA for blasting and vibration plans	January 2006	December 2018	Prior to construction	US 42 Ramp Reloc - May 2006	Coordination with SDCs, STAs, INSHPO, KYC and HPATs	No blasting or vibration activities occurred during the period that required implementation of this stipulation	
U				AI	SDCs / CTS		2	10	Plans to be coordinated with the central documents, special provisions and notes included in the construction plans.	HPATs	January 2006	December 2018		US 42 Ramp Reloc - May 2006	Coordination with SDCs, STAs, INSHPO, KYC and HPATs	No blasting or vibration activities occurred during the period that required implementation of this stipulation	
U		CTS	NR	NR	INDOT/ FHWA		3	10	BSMT to determine whether damage has occurred as a result of Project activities.	Owners of properties identified in MOA for blasting and vibration plans	January 2006	December 2023	As needed	US 42 Ramp Reloc - April 2007	Coordination with SDCs, STAs, INSHPO, KYC and HPATs	No claims of blasting / vibration damage to historic properties occurred during the Reporting Period	
NI		CTS	NR	NR	INDOT/ KYTC		4	11	INDOT/KYTC shall be responsible for repair of any blast and vibration damage to historic properties. Repairs to be carried out in accordance with the Secretary's Standards.	Owners of properties identified in MOA for blasting and vibration plans	January 2006	December 2023	Prior to entry		Coordination with SDCs, STAs, INSHPO, KYC and HPATs	Refer to Stipulation III.3 above	
U		CTS	NR	AI	INDOT/ KYTC		5	11	Obtain consent for entry of privately owned property to access monitoring equipment or damage repair	Owners of properties identified in MOA for blasting and vibration plans	January 2006	December 2023	Prior to entry		Coordination with SDCs, STAs, INSHPO, KYC and HPATs	No blasting or vibration activities occurred during the period that required implementation of this stipulation	
U		CTS	NR	AI	SDCs	M		11	Include in the Project contracts provisions that limit construction activities and construction noise during specific periods of time.	HPATs	January 2006	December 2018	None established	US 42 Ramp Reloc - May 2006	Coordination with SDCs, STAs, INSHPO, KYC and HPATs	None required this Reporting Period	
U		CTS	NR	AI	SDCs	N		11	Establish no-work zones or construction plans within the NHP boundaries of properties identified in Stipulation III.	HPATs	January 2006	December 2012	None established	US 42 Ramp Reloc - May 2006	Coordination with SDCs, STAs, INSHPO, KYC and HPATs	None required this Reporting Period	
						P		12	Education & Interpretation								

STIPULATION II - PROJECT DEVELOPMENT (Cont.)

Taskmaster(s) & Lead					MOA Reference		Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation				
Status	FHWA/ STAP SHPO	DEC	Sub-consultant	SDC	Current Lead	Item	Sub- Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	FHWA/ INSHPO/ K-C	NR	NR	NR	FHWA		1	12	Ensure that sensitive information about the location and nature of archaeological resources identified in the APE are not disclosed.	INSHPO and K-C	December 2003	December 2003	None established			Coordination with INSHPO, K-C and STAs to ensure sensitivity	Condition to be met the duration of the Project

NI		CTS	R, A, GP	NR	CTS		2	12	Develop a Popular Report, in plain English intended for general public, describing history, historic properties and archaeological resources identified in the APE. Draft copy to be provided to parties for 30-day review; comments to be considered in final report.	HPATs and Native American Tribes	June 2008	June 2010	None established			Consult with the BSHCT, HPATs and Native American Tribes to develop report. HPAT recommendations considered by BSHCT and elevated to BSMNT for approval. Copies distributed to SMOs, stakeholders, libraries and museums in Broad APE.	Work activity has not been initiated.
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STIPULATION II - SITE SPECIFIC MITIGATION																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FRWA/STW/SHPO	GEC	Sub-consultant	SOC	Current Lead	Item	Sub-Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
						A		13	Train Depot								
NI		CTS	R	BFS	INDOT		1	13		City of Jeffersonville and IHPAT	January 2010	January 2011	None Established			SDC 3 to develop plan and coordinate with IHPAT and general public.	Work activity has not been initiated
NI	INDOT	CTS	NR	BFS	INDOT		4	13	Make available during the construction period to house personnel assigned to the Project & the Indiana Commission	None Identified	January 2010	December 2023	None Established			SDC 3 to develop rehabilitation plan and coordinate with IHPAT and general public.	Work activity has not been initiated
NI	INDOT	CTS	NR	BFS	INDOT		5	13	Any work to rehabilitate to be done in accordance with the Secretary of Interior Standards.	INSHPO, IHPAT	January 2010	January 2012	None Established			Construction to occur in accordance with the Secretary of Interior Standards	Rehabilitation plans at 90% complete were presented to the IHPAT at meeting of 3/15/10. Rehabilitation plans at 90% complete were presented to the IHPAT at meeting of 1/21/10. Rehabilitation plans at 100% complete were presented to the IHPAT at meeting of 3/15/10. Construction letting proposed in next Reporting Period
NI	INDOT	CTS	NR	BFS	INDOT		C	13	Place preservation easement on property and sell at fair market value or donate to a local government.	INSHPO and IHPAT	January 2012	January 2013	None Established		Preservation Easement	INDOT to place preservation easement on property & sell at fair market value or donate to a local government.	Development of an easement to be completed as part of the SDC 3 contract
NI		CTS	R	BFS	INDOT		5	13	Develop and place interpretative signage	INSHPO, IHPAT and City of Jeffersonville	March 2010	March 2012	None Established			SDC will develop a signage plan as part of the construction documents	Development of interpretative signage to be completed as part of the SDC 3 contract
						B		13	Colgate-Palmolive Historic District								
NI		CTS	R	BFS	INDOT		2	14	Develop and place interpretative signage	INSHPO, IHPAT and town of Clarksville	March 2010	March 2012	None Established			SDC will develop signage plan as part of the construction documents	Development of interpretative signage to be completed as part of the SDC 3 contract
						C		14	Ohio Falls Car and Locomotive Company Historic District								
U		CTS	R	NR	CTS		1	14	Document and seek NRHP nomination	INSHPO, IHPAT and town Clarksville	July 2007	June 2009	September 2008	June 22, 2009	Completed NRHP Nomination Form	CTS-BEC to develop NRHP nomination for review and approval for listing by the INSHPO and the Keeper of the Register	NRHP Nomination Form prepared and submitted to the INSHPO. The Nomination passed the technical review on 6/22/09. Property owner objections have precluded listing.
NI		CTS	R	BFS	INDOT		2	14	Develop and place interpretative signage	INSHPO, IHPAT and town of Clarksville	March 2010	March 2012	None Established			SDC will develop signage plan as part of the construction documents	Development of interpretative signage to be completed as part of the SDC 3 contract
NI		CTS	R	BFS	INDOT		3	14	Develop and implement a listing/signage plan as set forth in Stipulation II.L	INSHPO, IHPAT and town of Clarksville	March 2012	December 2023	Complete prior to initiation of construction		Listing/Vision Plan to be included in the Final Construction Documents	Coordination with SDCs, BTAs, INSHPO, KOTC and IHPATs	Work activity has not been initiated
						D		14	George Rogers Clark Memorial Bridge								
NI	INDOT	CTS	R	BFS	INDOT		1	14	Avoid displacement of the historic bridge pylons on the TN approach to the bridge	IHPAT and City of Jeffersonville	January 2010	January 2012	None Established			Avoid displacement of the historic bridge pylons on the TN approach to the bridge	Work activity has not been initiated
NI		CTS	NR	BFS	INDOT		2	14	If displacement cannot be avoided, develop and implement a Treatment Plan to minimize damage to the original contributing elements	IHPAT and City of Jeffersonville	January 2012	January 2014	None Established			If displacement cannot be avoided, develop and implement a Treatment Plan to minimize damage to the original contributing elements	Work activity has not been initiated
NI		CTS	NR	BFS	INDOT		3	15	Relocate pylons in a way to ensure protection of the NRHP designation	IHPAT and City of Jeffersonville	January 2014	January 2020	None Established			Relocate pylons in a way to ensure protection of the NRHP designation	Work activity has not been initiated
						E		15	Old Jeffersonville Historic District								
U		CTS	R	NR	CTS		1	15	Develop a HPP	City of Jeffersonville, INSHPO and IHPAT	March 2006	October 2009	Prior to Preliminary Field Check Plans	September 28, 2009	HPP	IHPAT recommendations to be considered by BSMT and elevated to BSMT for final decision.	Final HPP approved by BSMT on 9/28/09

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)																
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation		
	FRWA/STW/SHPO	GEC	Sub-consultant	SOC	Current Lead	Item	Sub-Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan

NI	INDOT	CTS	R	NR	CTS		15	Present HPP to the City of Jeffersonville for potential use as a component of the City's Comprehensive Plan	City of Jeffersonville	November 2007	January 2010	None Established	November 23, 2008	Upon approval by the BSMT, HPP to be presented to City of Jeffersonville for consideration and adoption.	Sent to City of Jeffersonville for use and reference on 11/23/08	
NI		CTS	R	BFS	INDOT		3	Design and construct streetscape improvements within the HIC between Spring Street and the Project	City of Jeffersonville and INPAT	January 2010	January 2012	None Established		Streetscape Plan for improvements to the designated areas	SOC 3 to develop plan and coordinate with INPAT and general public.	Work activity not yet begun
U		CTS	R	BFS	INDOT		4	Design and construct pedestrian/bicycle facilities within IN HGW under the new bridge and existing 66 bridge	City of Jeffersonville	January 2010	December 2023	None Established			Coordination with City of Jeffersonville and the Indiana Greenway Consortium, if required	The Ohio River Greenway in the Project area was recently completed by the City of Jeffersonville. Project will include these improvements where appropriate
U		CTS	R	MB	MB		5	Minimize spacing between the existing bridge and the proposed downtown bridge consistent with prudent engineering principles	City of Jeffersonville and INPAT	September 2007	January 2010	None Established			SOC 2 to coordinate with the INPAT and City of Jeffersonville during the design process to ensure distance between the two bridges is	To be evaluated further in future advancement of the bridge design.
NI		CTS	R	BFS	INDOT		6	Develop and implement highway signage plan that minimizes the number of overhead directional signs on the approaches	City of Jeffersonville and INPAT	January 2010	January 2011	None Established			Signage plan to be presented to INPAT during development of the design. INPAT recommendation to be considered by BSMT and submitted to BSMT for approval.	Work activity not yet begun.
NI		CTS	R	BFS	CTS		7	Relocate the contributing structures (115 Fort St., 116 Fort St., 502 W. Market St., 432 W. Riverside Dr. and 500 W. Riverside Dr.) that would otherwise be demolished by the Project.	City of Jeffersonville and INPAT	May 2007	December 2023	None Established			INPAT recommendations to be considered by BSMT for final decision.	Additional work to initiate the relocation process is anticipated to begin during the right-of-way acquisition phase
NI	INDOT	CTS	R	BFS	CTS	a	16	Make a reasonable effort to purchase vacant lots within the district from a willing seller at fair market value. Houses to be moved & placed on new foundations in accordance with approaches recommended in Moving Historic Buildings. Relocated houses to be sold at fair market value	INSHPO	January 2011	January 2012	During the Acquisition Phase			INPAT recommendations to be considered by BSMT and submitted to BSMT for final decision	Work activity has not been initiated
NI	INDOT	CTS	NR	BFS	INDOT	b	16	Place preservation easement on relocated houses	INSHPO and INPAT	January 2011	January 2012	None Established	Preservation Easement		INPAT recommendations to be considered by BSMT and submitted to BSMT for final decision.	Work activity has not been initiated
NI	INDOT	NR	NR	NR	INDOT	c	16	Stipulate through a covenant that the purchaser must occupy house for five years and maintain in accordance with preservation standards	INSHPO and City of Jeffersonville	January 2011	January 2012	None Established			INDOT to coordinate with INSHPO to establish covenant language. Once agreed upon, covenant with City of Jeffersonville.	Work activity has not been initiated
NI	INDOT	CTS	R	NR	INDOT	d	16	If unable to obtain acceptable property within the district prepare & implement a marketing plan for relocation by others at a nominal fee	INSHPO	January 2011	January 2012	None Established	Marketing Plan		If necessary, plan to be developed in consultation with INSHPO	Need to involve stipulation not yet determined
NI	INDOT	CTS	NR	BFS	INDOT	e	17	Plan to include information about the buildings	continued	continued	continued	continued	continued	continued		Work activity has not been initiated
NI	INDOT	CTS	NR	BFS	INDOT	f	18	Upon INSHPO agreement, INDOT to implement for a minimum of six months	continued	continued	continued	continued	continued	continued		Work activity has not been initiated
NI	INDOT/INSHPO	NR	NR	NR	INDOT	g	16	INDOT to review with INSHPO all offers prior to acceptance.	continued	continued	continued	continued	continued	continued		Work activity has not been initiated
NI	INDOT	CTS	R	NR	INDOT	h	18	If no acceptable offer made that conforms to the requirements for rehabilitation & maintenance, may donate property to a local government	INSHPO and INPAT	January 2011	January 2012	None Established			If no acceptable offer made that conforms to the requirements for rehabilitation & maintenance, may donate property to a local government.	Implementation of activity not yet warranted
NI		CTS	R	BFS	INDOT	i	18	Design and construct roadway lighting in the watershed of district as set forth in Stipulation II.D	INPAT	January 2010	January 2012	None Established			INPAT recommendations to be considered by BSMT and submitted to BSMT for final decision	Work activity has not been initiated
NI		CTS	R	BFS	INDOT	j	16	Implement house assessment measures as set forth in Stipulation II.E	INPAT	January 2010	January 2012	None Established			INPAT recommendations to be considered by BSMT and submitted to BSMT for final decision	Work activity has not been initiated
NI	INDOT	CTS	R	BFS	INDOT	k	18	Timing of construction activities shall be scheduled to limit construction activities which may result in additional impacts to the district.	INPAT	January 2011	January 2012	None Established			Process to be included in the construction specs for the contractor	Work activity has not been initiated

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

Task/Measure/Action Lead	MOA Reference	Stakeholders & Commitment Description	Duration & Deadline	Product & Implementation
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Status	ARWA/STA/SHPO	DEC	Sub-consultant	SDC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Annual Completion Date	Product	Implementation Plan	Remarks & Comments
NI		CTS	R	BSE	INDOT		13	17	Develop and implement a blasting/vibration plan as set forth in Specification 8.1.	INSHPO, INPAT and City of Jeffersonville	January 2012	December 2018	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDC, STA, INSHPO, KHC and HPATs	Work activity has not been initiated
						F		17	INLAP (Igneous Storage Holes) District								
NI		CTS	R	IAP	INDOT		1	17	Develop and implement a blasting/vibration plan as set forth in Specification 8.1. Plan to include provisions for blast monitoring & repair if the Department of the Army grants access	INSHPO, INPAT, Clark County Coroner's Office and the Department of the Army	January 2012	December 2018	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDC, STA, INSHPO, KHC and HPATs	Work activity has not been initiated
						G		17	Laritz Cemetery								
NI		CTS	R	JAP	INDOT		1	17	Develop and implement a blasting/vibration plan as set forth in Specification 8.1.	INSHPO, INPAT, Clark County Commissioners and Town of Ursa	January 2012	December 2018	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDC, STA, INSHPO, KHC and HPATs	Work activity has not been initiated
NI		CTS	R	JAP	INDOT		2	17	Design the section of roadway adjacent to the cemetery to minimize noise to the property and complement the environment with landscaping within the public right-of-way	INSHPO and INPAT	January 2008	January 2010	None Established			HPAT recommendations to be considered by BSMT and allowed to BSMT for final decision	Work activity has not been initiated
						H		17	Ursa Mine within the Ursa Mine Industry Multiple Property Listing								
NI		CTS	R, GP	NR	CTS		1	17	Develop a HPP to include a Context Study focusing on the development of the mine industry. Develop and publish a historical map.	Town of Ursa, Clark County, INSHPO and INPAT	May 2008	June 2010	Prior to Preliminary Field Check Plans		HPP & Ursa Mine Pamphlet	HPAT recommendations to be considered by BSMT and allowed to BSMT for final decision	HPP pending completion of MPEF and NHP nominations.
NI		CTS	R	NR	INDOT		2	17	Prepare a condition report of the resources, which includes photographs, to establish a baseline condition.	INSHPO	May 2009	June 2010	Prior to initiating construction activities within 1,000 feet of the mine			Prior to construction, INDOT would assess condition of mine and document. Documentation to be developed in coordination with the INSHPO	Inclusion of activity anticipated to commence in the ensuing period
NI		CTS	R	IAP	INDOT		3	18	Develop and implement a blasting/vibration plan as set forth in Specification 8.1. To be developed for lots identified as IE-MC-48002, IE-MC-48003 and IE-MC-48004	INSHPO and INPAT	January 2012	December 2018	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDC, STA, INSHPO, KHC and HPATs	Work activity has not been initiated
NI		CTS	R	IAP	INDOT		4	18	Define a "no work zone" around the three mine lots, noted above, which is to extend 100 feet from the lots	INPAT	January 2008	January 2010	None Established			Coordination with SDC, STA, INSHPO, KHC and HPATs	Work activity has not been initiated
NI	INDOT	CTS	R	NR	INDOT		5	18	Repair any damage caused by the Project to the mine mine	Owners of Ursa Mine, INSHPO, and INPAT	December 2016	December 2023	None Established			Upon completion of construction, INDOT will evaluate the condition of the mine and repair, as appropriate	No damages have occurred as a result of the Project
NI	INDOT	NR	NR	NR	INDOT		6	18	Acquire the Ursa Mine IE-MC-48004 place a preservation easement on the property and sell it to a preservation organization or donate it to a local government	INSHPO and INPAT	January 2010	January 2011	During the Right-of-Way Phase			It was determined that the lot was within the existing right-of-way. No further action is required.	None
NI		CTS	R	IAP	INDOT		7	18	Develop and design an interpretive marker along Ursa Mine describing the importance of the mine industry & significance of the mine	INSHPO, INPAT and Town of Ursa	January 2009	January 2018	None Established		Interpretive Marker	SDC will develop interpretive marker as part of the construction documents. Content of the marker to be coordinated with the INPAT and INSHPO	Work activity has not been initiated
NI		CTS	GP	IAP	CTS		8	18	Document and seek NHP nomination	INSHPO, INPAT and Town of Ursa	July 2008	January 2010	June 2010		Completed NHP Nomination Form	CTS-GEO to develop NHP Nomination for review and approval for listing by the INSHPO and the Keeper of the Register	Draft NHP nominations under revision pending review of site boundaries using current mapping and field work.
						I		18	Shawnee Farm Rural Historic District								Possible amendment to MOA pending additional action from PHWA. Coordination with MOA signatories pending final resolution of amendment. Final approved amendment to be provided to INPAT
U		CTS	R	NR	CTS		1	18	Develop thematic context study for agriculture in Clark County, Indiana and surrounding counties to assist in future nominations in the region	Clark County Commissioners, INSHPO, INPAT and City of Jeffersonville	January 2008	June 2016	Prior to Preliminary Field Check Plans	June 15, 2008	HPP Context Study	HPAT recommendations to be considered by BSMT and allowed to BSMT for final decision	Complete
U	INDOT	NR	NR	NR	INDOT		2	18	Purchase the portion of Shawnee Farm lying on the west side of the Project	None Identified	January 2008	Unknown	None Established			INDOT Land Acquisition to negotiate with owner to purchase	Possible amendment to MOA pending additional action from PHWA

NI		CTE	R	IAP	INDOT		3	19	Develop and implement a landscaping plan as set forth in Regulation II...	INSHPO and INPAT	January 2012	Unknown	Complete prior to initiation of construction		Developing Vision Plan to be included in the Final Construction Documents	Coordination with SDCs, STAG, INSHPO, KYC and HPATs	Possible amendment to MOA pending additional action from FHWA
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STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FHWA/STAG/SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI		CTS	GP	NR	CTS		4	16	Document and task NHP nomination of the remaining farmstead	Carr County Commissioners (INSHPO, INPAT and City of Jeffersonville)	July 2007	Unknown	September 2008		Completed NHP Nomination Form	CTS, GEC to develop NHP Nomination for review and approval for listing by the INSHPO and the Keeper of the Register	Possible amendment to MOA pending additional action from FHWA
NI		CTS	H	IAP	INDOT		5	19	Delimit a 'no-work zone' around remaining Swartz farmstead	HPAT	January 2009	Unknown	None Established			Coordination with SDCs, STAG, INSHPO, KYC and HPATs	Possible amendment to MOA pending additional action from FHWA
NI	INDOT	CTS	NR	IAP	INDOT		6	18	Place a preservation easement on property and sell to a historic preservation organization or donate to a local government or if it can be sold to anyone who would accept the preservation easement.	INSHPO and INPAT	January 2008	Unknown	None Established		Preservation Easement	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Possible amendment to MOA pending additional action from FHWA
NI		CTS	WH	IAP	INDOT		7	19	Prepare archival documentation for Central Passage House	HPAT and INSHPO	January 2009	Unknown	Prior to the Central Passage House demolition		Archival Document of resource	Prior to demolition, archival documentation to be prepared in coordination with the HPAT and INSHPO	Swartz Farmhouse was demolished by the owner. Possible amendment to MOA pending FHWA action
NI		CTS	R	IAP	INDOT		8	15	Develop and implement a landscaping plan to minimize visual impacts of the Project	HPAT	June 2008	Unknown	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Swartz Farmhouse was demolished by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA
						J		20	Trolley Barn	Owner and KYC							
U	FHWA/KYTC	NR	NR	NR	KYTC		1	20	Rehabilitation shall be developed and implemented in consultation with the KY SHPO	Owner and KYC	April 2003	December 2003				Rehabilitation shall be completed. Building donated to Louisville African-American Heritage Foundation.	Rehabilitation of the Trolley Barn is completed. Building donated to Louisville African-American Heritage Foundation.
						K		20	Burketown Historic District								
U		CTS	R, GP	NR	CTS		1	20	Develop a HPP which shall develop a thematic corridor to assist with future nominations in the region. Plan is to be coordinated with listed development plans available from Metro Government	KHPAT	November 2004	December 2010	Prior to Preliminary Park Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Finalization of the HPP is pending conclusion of the dispute resolution.
U		CTS	R, GP	KTA	KTA		2	20	Develop the Witherspoon Extension in accordance with provisions of HPP as the principal east-west route through the district and implement measures that encourage north-south traffic through the district to use Clay Street and Franklin Avenue	KHPAT, Burketown Neighborhood Association and Metro Government	December 2006	January 2010				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Decision on the Witherspoon is pending conclusion of the dispute resolution.
U		CTS	R, GP	KTA	KTA		3	20	Design and construct roadway sections along north side of district using improvements or other designs that support aesthetically pleasing road statement measures, lighting and landscaping that maintain the context of the district.	KHPAT and Metro Government	December 2010	December 2023				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on these elements are included as part of the Final HPP

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FHWA/STAG/SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	KYTC	CTS	NR	KTA	KYTC		4	20	Edison House: Provide funding for the exterior rehabilitation and conduct a noise study to determine whether interior noise abatement measures are justified	Owner and KHPAT	July 2008	December 2009	During development of detailed plans			Conduct noise readings and review in accordance with Secretary of Interior Standards	KY SHPO met with owners of Edison House to define scope of work for exterior building rehabilitation. Owners have agreed to placement of the easement, a site visit is to be scheduled to begin preparation of R
U	KYTC	CTS	NR	KTA	KYTC		5	21	Wesley House: Provide funding for the exterior rehabilitation and conduct a noise study to determine	Owner and KYC	July 2008	December 2009	During development of detailed plans			Conduct noise readings and review in accordance with Secretary of Interior Standards	Preservation assessment is pending execution between the property owners and KYTC

NI		CTS	NR	KA	KA	6	29	St. Joseph's Church - Conduct a noise study for St. Joseph's Church to determine whether interior noise abatement measures are justified for the Church, Day Care Center and School.	Owner and KHC	December 2010	December 2023	During development of detailed plans			Conduct noise readings and review in accordance with Secretary of Interior Standards	Work activity has not been initiated
NI		CTS	NR	KA	KA	7	21	Francis Street Baptist Church - Conduct a noise study for Francis Street Baptist Church to determine whether interior noise abatement measures are justified	Owner and KHC	December 2010	December 2023	During development of detailed plans			Conduct noise readings and review in accordance with Secretary of Interior Standards	Work activity has not been initiated
NI		CTS	NR	KA	KA	8	21	Marcus Lindsay Methodist Church - Conduct a noise study for Marcus Lindsay Methodist Church to determine whether interior noise abatement measures are justified	Owner and KHC	December 2010	December 2023	During development of detailed plans			Conduct noise readings and review in accordance with Secretary of Interior Standards	Church is presently undergoing renovation. Identification of expanded use not yet known
NI		CTS	NR	KA	KA	9	21	Grace Immanuel United Church of Christ - Conduct a noise study for Grace Immanuel United Church of Christ to determine whether interior noise abatement measures are justified	Owner and KHC	December 2010	December 2023	During development of detailed plans			Conduct noise readings and review in accordance with Secretary of Interior Standards	Work activity has not been initiated
U		CTS	R, GP	KA	CTS	10	22	Stegman Urban and Core Storage Corridor - Provide a plan for adaptive reuse the property. If plan cannot be developed, develop documentation of the property and proceed to demolish the structure once the documentation has been accepted.	Owner, Metro Government and KHPAT	September 2008	June 2009		June 18, 2009		Conduct noise readings and review in accordance with Secretary of Interior Standards	Treatment Plan was approved by the BSMT on 5/15/09 and distributed to the KHPAT on 6/18/09
U		CTS	IL, GP	KA	KA	12	22	Design and construct streetscape improvements within the entire district in accordance with provisions of the HPP and the KHC streetscape design guidelines	KHC and KHPAT	March 2008	December 2023			Streetscape Plan for improvements to the designated area	HPAT recommendations to be considered by BSMT for final decision	Recommendations on streetscape improvements at specific locations are included as part of the Final HPP. Gateway landscaping would use site specific schemes with space for local groups to provide plantings and maintenance of the sites
NI		CTS	R, GP	KA	KA	13	22	Design and construct traffic calming measures on existing streets in the district with attention to the expansion of east downtown Louisville and Phase Two of Waterfront Park	Metro Government, Waterfront Development Corp. and KHPAT	December 2010	December 2023				HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Work activity has not been initiated
U		CTS	R, GP	KA	KA	14	22	Design and construct roadway lighting within the watershed of the district	KHPAT and Metro Government	December 2010	December 2023				HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Recommendations on roadway lighting are included as part of the Final HPP. The gateways will have no lighting under the bridge, gate towers are to be used that were removed and replaced over 30 years ago.

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation			
Stays?	FWW/ STA/ SHPO	DEC	Sub-consultant	SOC	Current Lead	Item	Sub Item	Pg No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U		CTS	R, GP	XTA	KTA		15	22	Implement noise abatement measures as set forth in Stipulation II.E where the Project is expected to adversely affect the district	KHPAT	December 2006	December 2023				HPAT recommendations to be considered by BSMT for final decision	Barrier is being considered by SOC. Is adjacent to the Clinton Neighborhood. Coordination with neighborhood on 7/28/10 discussed construction of a noise wall with a brick facade. The neighborhood was in agreement with the design.
NI		CTS	R, GP		KTA		16	22	Develop and implement a mitigation plan as set forth in Stipulation II.L	KHC and KHPAT	December 2008	December 2023	Complete prior to initiation of construction		Barrier/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Work activity has not been initiated
						L		22	Phoenician Historic District								
C		CTS	R, GP		KTA		1	22	Develop a HPP, which shall develop a thematic context to assist with future nominations in the region. Plan is to be coordinated with latest development plans available from Metro Government.	KHC, KHPAT and Metro Government	November 2004	April 2007	Prior to Preliminary Field Check Plans	November 25, 2009		Complete	Final HPP approved by BSMT on 11/23/09. HPP sent to City of Louisville for use and reference on 1/29/10

U		CTS	R GP	KTA	KTA		2	23	Design and construct roadway lighting as set forth in Stipulation II.G	KHPAT and Metro Government	December 2005	December 2023					H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on roadway lighting are included as part of the Final HPP
U	KYTC	CTS	R GP	KTA	KYTC		3	23	Work with the owner to relocate the Beer Fabric Company within the HO or a suitable facility within the Phoenix Hill neighborhood	Owner and Phoenix Hill Neighborhood Association	September 2006	May 2009					Work with the owner to relocate the Beer Fabric Company within the HO or a suitable facility within the Phoenix Hill neighborhood.	Property was acquired on 5/26/09. State Level Documentation approved by KY SHPO on 6/2/09. Historical archive completed, which identifies historic significance of potentially salvageable materials from building. Demolition placed on hold until financial considerations of Project can be resolved.
U		CTS	R GP	KTA	CTS		4	23	Develop a treatment plan for rehabilitation of the Vermont American Buildings, explore options for reuse and rehabilitate the exterior of the building if recommended in the treatment plan	KHPAT and Metro Government	September 2007	February 2010		Treatment Plan			CTS to coordinate with SHPO in development of Treatment Plan. H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	A draft of the treatment plan was reviewed on 6/2/10 and comments returned to CTS-GEC/Radio on 6/11/10 for revision. The plan was revised and reviewed on 6/26/10 and found satisfactory. On 8/3/10, the draft plan was sent to the FHWA and KYTC for review. KYTC completed the review of the plan and provided comments to CTS-GEC/Radio. FHWA has comments are expected in the next Reporting Period. Following CTS review process, the plan will be sent to the KY SHPO for review.
M		CTS	NR	KTA	KTA		5	23	St. John's Church - Conduct a noise study for St. John's Church to determine whether interior noise abatement measures are justified.	Owner and KHC	December 2012	December 2023	During development of detailed plans				Conduct noise readings and review in accordance with Secretary of Interior Standards.	Work activity has not been initiated.
M		CTS	NR	KTA	KTA		6	23	Refuge in Kentucky Church - Conduct a noise study for Refuge in Kentucky Church to determine whether interior noise abatement measures are justified for the Church, Day Care Center and School	Owner and KHC	December 2012	December 2023	During development of detailed plans				Conduct noise readings and review in accordance with Secretary of Interior Standards.	Work activity has not been initiated.
M		CTS	R GP	KTA	KTA		7	23	Place interpretive signage within the district	Metro Government, KHPAT and KHC	December 2012	December 2023		Interpretive Signage			SDC will develop signage plan as part of the construction documents	Recommendations on interpretive signage were included as an element of the Final HPP and the PL & G plans prepared by SDC 1
U		CTS	R GP	KTA	KTA		8	23	Streetscape improvements along Main Street and Market Street from Floyd Street to Clay Street and in the area under the I-65 Bridge in accordance with provisions of the HPP and the KHC streetscape design guidelines.	Metro Government and KHPAT	March 2006	March 2012		Streetscape Plan for improvements to the designated areas			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on streetscape improvements at specific locations are included as part of the Final HPP. Development of specific streetscape plans have not been initiated.
M		CTS	R GP	KTA	KTA		9	23	Develop and implement a blasting/vibration plan as set forth in Stipulation II...	Metro Government and KHPAT	January 2008	December 2020	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Work activity has not been initiated.
						M		24	Country Estates Historic District / River Road Corridor									
U		CTS	R GP	L	CTS		1	24	Develop a HPP which shall specifically consider and develop recommendations for the following:	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	Prior to Preliminary Plan Check Pass				H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	The final HPP was approved by the Co-Chairs of the BSHCT at their meeting of 9/14/10 with a recommendation to advance it to the BSMT for final review for approval. A copy of the Final HPP is to be sent to the BSMT in the next Reporting Period for approval.
U		CTS	R GP	L	CTS		2	24	Country Estates of River Road Historic District, including individually listed NRHP properties with in the district	City of Prospect, Metro Government and KHPAT	April 2005	May 2009					H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above
U		CTS	R GP	L	CTS		3	24	James T. Taylor / James W. Chandler House	City of Prospect, Metro Government and KHPAT	April 2005	May 2009					H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

STIPULATION IN-SITE SPECIFIC MITIGATION (Cont.)																
Status	Taskmaster(s) & Lead				MOA Reference			Stakeholders & Commitment Description			Duration & Deadline				Product & Implementation	
	FHWA/STAP/SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan

U		CTS	R, GP	L	CTS		c	24	Mertelmer House	City of Prospect, Metro Government and KHPAT	April 2005	October 2009				H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	CTS		c	24	Upper River Road Bridge over Harrods Creek	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	CTS		e	24	Harrods Creek Village Historic District	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	CTS		f	24	Schickelweh House	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	CTS		g	24	Deamann House	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	CTS		h	24	Ashon Berendson House	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	CTS		i	24	St. Francis in the Fields Church	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	CTS		j	24	Bedelevier	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	CTS		k	24	Rosewell	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	See M.1 update, above
U		CTS	R, GP	L	L		2	24	Design and construct proposed roadways, bridges and turnouts from I-77 to the OH River, taking into consideration the cultural landscapes that are important contributing elements to the district	City of Prospect, Metro Government and KHPAT	January 2004	December 2015	None Established			Design and construct proposed roadways, bridges and turnouts from I-77 to the OH River, taking into consideration the cultural landscapes that are important contributing elements to the district	Final HPP recommend roadway bridge and turn-out design, considering cultural landscapes
U		CTS	R, GP	L	L		3	24	Design and construct roadway lighting as set forth in Stipulation II.D	City of Prospect, Metro Government and KHPAT	January 2005	December 2015	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Recommendations on roadway lighting are included as part of the HPP. Input sought from HPATs on lighting in Section 5 at 02/14/08 meeting.
U		CTS	R, GP	L	L		4	24	Implement noise abatement measures where the Project noise is expected to affect the listed and eligible properties as set forth in Stipulation II.E	City of Prospect, Metro Government and KHPAT	January 2010	December 2015	None Established			H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Noise Barrier Analysis completed by SDG 4. Noise abatement to be implemented where determined reasonable and feasible
U		CTS	R, GP	L	L		5	24	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L	City of Prospect, Metro Government and KHPAT	January 2005	December 2010	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	H/PAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	At the KHPAT meeting of 8/29/10, it was recommended that all of the historic properties in the r/d must have blasting and vibration plans developed prior to any activity. SDG 4 indicated that the blasting and vibration plans prepared for the initial blast were prepared in accordance with the ROD which identifies the blast zone at 500 feet. This appears to be in discordance with the MOA which states that blasting and vibration plans be prepared for all of the specific properties identified in Stipulation III (or the MOA). Further discussions would be undertaken with the KYTC and SDG 4 to develop blasting and vibration plans for all historic properties in ensuing Reporting Periods.	
U		CTS	R, GP	L	L		6	25	Define a "no-work zone" within the NHP boundaries of the listed and eligible properties	City of Prospect, Metro Government and KHPAT	January 2005	December 2010	None Established			Define a "no-work zone" within the NHP boundaries of the listed and eligible properties	
U		CTS	R, GP	L	PHWA	N	7	25	Overseas	Owner, KYTC, KHC and KHPAT	April 2003	December 2021	None Established			Project through this property to be contained in a tunnel so as to limit adverse effects	Tunnel through this property remains a component of Section 4

U		CTS	R, GP	L	KYTC	2	25	Acquire or establish a historic preservation easement for the entire Drummond historic property	Owner and KHC	January 2006	December 2006	None Established			Acquire or establish a historic preservation easement for the entire Drummond historic property	Baseline documentation was prepared by SDC 4 for use in preparing the assessment for Drummond. On 7/18/10, the KY SHPO stated that this documentation was satisfactory to his office. KYTC is pursuing the acquisition of the property. An offer has been made to the property owners and a counteroffer returned to KYTC. Negotiations with the owners are continuing.
U		CTS	R, GP	L	FWHA	3	25	If acquiring a preservation easement is not possible, FWHA will acquire the property, place the required easement on the property and transfer to KYTC who shall seek to sell the property at fair market value or donate to a local government.	Owner and KHC	December 2006	December 2006	None Established			If acquiring a preservation easement is not possible, FWHA will acquire the property, place the required easement on the property and transfer to KYTC who shall seek to sell the property at fair market value or donate to a local government.	Baseline documentation was prepared by SDC 4 for use in preparing the assessment for Drummond. On 7/18/10, the KY SHPO stated that this documentation was satisfactory to his office. KYTC is pursuing the acquisition of the property. An offer has been made to the property owners and a counteroffer returned to KYTC. Negotiations with the owners are continuing.
U		CTS	R, GP	L	L	4	25	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L. Monitor the historic buildings to preclude impacts due to blasting.	KHPAT and KHC	January 2006	December 2010	Plan to be completed prior to initiation of construction. Monitoring to occur during construction activities.		Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

Task/role(s) & Lead						MOA Reference			Stakeholders & Commitment Description		Duration & Deadlines			Product & Implementation			
Status	FWHA/ SHPO	DEC	Sub-consultant	SDC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
N		CTS	R, GP	L	KYTC	0	1	25	Alison-Barrickman House	Owner and KHC	January 2006	January 2011	None Established			Acquire a historic preservation easement for the Alison-Barrickman house on the back of land within the NHP boundary and an easement on the property bounded by US 42, KY 841, the Alison-Barrickman property and Wolf Pen Branch Road.	For the tract of land within the NHP boundary, coordination with the owner is continuing. For the land outside of this tract, the property owner has refused to place an easement.
U		CTS	R, GP	L	L		2	25	Implement noise abatement measures as set forth in Stipulation C.B.	KHPAT	January 2010	December 2015	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.
U		CTS	R, GP	L	L		3	26	Define a "no-work zone" within the NHP boundary of the property.	KHPAT and KHC	January 2006	December 2010	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	No work zones identified in the US 42 ramp relocation and exploratory tunnel plans.
U		CTS	R, GP	L	L		4	26	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	KHPAT and KHC	January 2006	December 2010	Complete prior to initiation of construction.		Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
						P		26	Rosewell								
U		CTS	NR	L	L		1	26	Develop and implement a Treatment Plan to minimize damage to the property.	KHPAT and KHC	January 2006	December 2009	None Established		Treatment Plan	Develop and implement a Treatment Plan to minimize damage to the property.	SDC 4 presented the 100% plans and specifications at the KHPAT meeting of 6/26/10. The presentation outlined repairs to the hip beam, four joist framing on the first floor, the kitchen floor, the low wall/shed roof, the smokehouse, exterior finishes and exterior wall treatments. On 11/22/10, the final 100% plans were submitted to the KY SHPO by CTS-DEC for final approval. Comments are pending and expected in the next Reporting Period.
N		CTS	R, GP	L	KYTC		3	26	Place a preservation easement on the property and then sell to a local historic preservation organization or other acceptable party or donate to a local government.	Owner, KHPAT and KHC	January 2006	December 2009	Irrevocability following acquisition.			Place a preservation easement on the property and then sell to a local historic preservation organization or other acceptable party or donate to a local government.	SDC 4 is preparing Rosewell for resale or public use.

U		CTS	R, SP	L	-	4	26	Design and construct roadway lighting as set forth in Stipulation C.D	KHPAT, KHC and City of Prospect	January 2005	December 2015	None Established			HPAT recommendations to be considered by BSMT for final decision	Recommendations on roadway lighting are included as part of the HPP. Input sought from HPATs on lighting in Section 5 at 02/14/08 meeting
U		CTS	R, GP	L	L	5	26	Implement noise mitigation measures as set forth in Stipulation II.E	KHPAT, KHC and City of Prospect	January 2009	December 2015	None Established			HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible
NI		CTS	R, GP	L	L	6	26	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L	KHPAT, KHC and City of Prospect	January 2006	December 2010	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents		HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Work activity has not been included
NI		CTS	R, GP	L	L	7	26	Define a "no-work zone" within the NRHP boundary of the property	KHPAT, KHC and City of Prospect	January 2006	December 2010	None Established			HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Work activity has not been included
U	1	CTS	R, GP	L	L	Q	26	Ball review								
						1	26	Design Ohio River Bridge and embankment adjacent to the property taking into account the cultural landscape associated with this property. Consider context sensitive landscaping and other visual treatments on or adjacent to the NRHP boundary with owner consent and maintenance	Dense, KHPAT and KHC	January 2005	December 2015	None Established			HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Recommendations on these elements are included as part of the HPP
U	2	CTS	R, GP	L	L	2	27	Design and construct roadway lighting within the watershed of Subdivision as set forth in Stipulation II.C	KHPAT and KHC	January 2008	December 2015	None Established			HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Recommendations on roadway lighting are included as part of the HPP. Input sought from HPATs on lighting in Section 5 at 02/14/08 meeting
U	3	CTS	R, GP	L	L	3	27	Implement noise mitigation measures as set forth in Stipulation II.E	KHPAT and KHC	January 2010	December 2015	None Established			HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible
NI	4	CTS	R, SP	L	-	4	27	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L	KHPAT and KHC	January 2006	December 2010	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents		HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Work activity has not been included
NI	5	CTS	R, GP	L	L	5	27	Define a "no-work zone" within the NRHP boundary of the property	KHPAT and KHC	January 2006	December 2010	None Established			HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision	Work activity has not been included

STIPULATION IV - ARCHAEOLOGICAL RESOURCES*																	
Status ¹	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	KYTC	CTS	A	NR	FHWA	A	1	27	In implementing Stipulation IV, FHWA may withhold or limit public disclosure of information about historic properties.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.
U	KYTC	CTS	A	NR	FHWA		2	27	FHWA to ensure consultation with Indian Tribes is conducted in a manner consistent with 36 CFR 800.2(c)(2)(H)(A), (B) & (C).	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.
U	KYTC	CTS	A	NR	FHWA		3	27	FHWA to make every effort to complete identification & evaluation of archaeological resources at the earliest possible time in Project design.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.
U	FHWA	CTS	NR	NR	FHWA		4	27	In implementing Stipulation IV, FHWA may consult with the parties identified in Attachment 6 of the MOA.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.
U	KYTC	CTS	A	NR	FHWA		5	27	FHWA will take reasonable measures to avoid disturbance & disturbance to human remains and grave goods of religious & cultural significance to Indian Tribes.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.
						B		28	identification				None Established				
U	KYTC	CTS	A	NR	FHWA		1	28	Before letting any type of Project in the APE or selecting sites for ancillary activities associated with the Project, FHWA shall complete the identification & evaluation of archaeological resources for inclusion in the NRIIP.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.
U	KYTC	CTS	A	NR	FHWA		2	28	Examine all locations where ground-disturbing are proposed or where they may occur within temporary right-of-way.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)																	
Status	Taskmaster(s) & Lead				MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation			
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	KYTC	CTS	A	NR	FHWA		3	28	To ensure the sensitive, respectful and careful treatment of human remains and grave goods, FHWA to be guided by ACHP's Policy Statement, <u>Departmental Instructions of Cultural Resources and Grave Goods</u> and where appropriate other guidelines.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.
U	KYTC	CTS	A	NR	FHWA		4	28	Make every reasonable effort to avoid disturbance or disturbance of human remains and grave goods.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established			Same as Description	No activity in this Reporting Period.

U	KYTC	CTS	A	NR	FHWA		D	26	Make a reasonable and good faith effort to determine the location, cultural/sherborn period, and cultural affiliation of human remains and/or grave goods without any retrieval or destructive analysis of remains. FHWA may remove remains for study if determined in consultation with KYC & Indian Tribes that information cannot be obtained without disturbance.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA		E	28	Ensure human remains and/or grave goods are not photographed or subject to invasive study.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA		F	28	Provide written notification & documentation of discovery to the appropriate SHPO, Indian Tribes & other parties determined appropriate within 48 hours.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA		G	29	Develop a Plan(s) for the identification & evaluation of archaeological resources.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Plan(s) for the identification & evaluation of archaeological resources.	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA		H	26	FHWA to provide the SHPOs, Indian Tribes and other parties determined appropriate 30 days to review & comment on Plan(s), final Plan(s) to address comments.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Draft Plan(s) for the identification & evaluation of archaeological resources.	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA		I	29	If no response received from the above parties in 30 days, FHWA may proceed with Plan(s).	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Plan(s) for the identification & evaluation of archaeological resources.	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA		J	29	Any dispute regarding Plan(s) to be resolved in accordance with Subpart XII.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA		K	29	FHWA to prepare & distribute final identification & evaluation reports in accordance with Subpart IV.F.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
							L	29	Evaluation	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	
U	KYTC	CTS	A	NR	FHWA		M	29	Studies completed pursuant to Subpart IV.B to demonstrate a level of effort consistent with 36 CFR 800.4(b)(7) and provide FHWA with information to determine NRHP eligibility.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)

Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation			
Status	FHWA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Item	Pg. No.	Description	Involved Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	KYTC	CTS	A	NR	FHWA		2	26	Archaeological resources considered eligible for the NRHP by FHWA to be treated in accordance with Stipulations IV.D & IV.E.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	No activity in this Reporting Period.
NI	KYTC	CTS	A	NR	FHWA		3	26	FHWA to seek a formal determination of NRHP eligibility from Keeper of NRHP if disagreement between FHWA & SHPO.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	Refer to IV.C, 1 above.
U	KYTC	CTS	A	NR	FHWA		4	26	No further action necessary for archaeological resource that FHWA & the SHPO agree are not eligible for the NRHP.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	No activity in this Reporting Period.
NI	KYTC	CTS	A	NR	FHWA		5	37	FHWA to notify Indian Tribes and other parties when so request of findings of eligibility.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	No activity in this Reporting Period.

NI	KYTC	CTS	A	NR	FHWA	D	6	29	FHWA to reconsider its determination if a Party objects to FHWA's determination of eligibility in writing within 15 days.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	D	1	30	Assessment of Effects FHWA to determine if Project will adversely affect NHP-eligible archaeological resources in consultation with the SHPO, Indiana Tribes when appropriate, & other parties deemed appropriate by FHWA.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA	D	2	30	If FHWA determines Project may adversely affect NHP-eligible archaeological resources, reasonable efforts to be made to avoid/minimize adverse effect. If it's not possible to avoid disturbance, FHWA to treat resources in accordance with Stipulation IV.E.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA	D	3	30	Disputes regarding the determination of effects on archaeological resources to be resolved in accordance with Stipulation XII.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
						E		38	Treatment	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	
NI	KYTC	CTS	A	NR	FHWA	D	1	38	If FHWA determines that an adverse effect cannot be avoided or minimized, a treatment plan will be developed & implemented to mitigate such effects on a site-by-site basis. At a minimum, treatment plans to include:	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	Treatment plans to be implemented prior to initiation of any Project construction activities within a segment that could affect that site.		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA	a	30	30	Description of the historic properties or portions of historic properties where treatment will be carried out.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA	b	31	31	Description of any historic property or portion thereof that will be adversely affected without treatment for such action.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA	c	31	31	Methods for site preservation/ protection.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA	d	31	31	Reasoning questions to be addressed through data recovery.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)

Taskmaster(s) & Lead						MOA Reference			Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation			
Stipulation	FHWA/ SHPO	CEC	Sub-consultant	SOC	Current Lead	Date	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI	KYTC	CTS	A	NR	FHWA		a	31	Field methods to be used with an explanation of the resources & applicability	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA		f	31	Methods to be used in data analysis, data management & dissemination of data, including a schedule.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA		g	31	Plans for treatment of human remains & grave goods.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA		h	31	Plans for duration of recovered materials & records.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA		i	31	Provisions for removal of human remains & grave goods where appropriate.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA		j	31	Plans for public education & interpretation.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA		k	31	Plans for keeping the SHPOs, Indian Tribes and other appropriate parties informed of work progress & findings.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA		l	31	Schedule for the submission of reports & other deliverables.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period	

NI	KYTC	CTS	A	NR	FHWA		2	31	Plans addressing treatment of human remains & grave goods to be guided by the ACHP's Policy Statement Regarding Treatment of Human Remains & Grave Goods and other guidelines where appropriate. FHWA to be also be guided by	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA		8	31	Gravels that will not be threatened or disturbed by the Project shall not be disturbed or disturbed through scientific study	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA		10	31	If disturbance cannot be avoided, FHWA to determine if scientific study of human remains, grave goods & the burial matrix will be conducted. FHWA's decision must be supported by an explicit set of definitive & justified questions on a case-by-case basis.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA		12	32	Human remains and funerary objects of religious & cultural significance to Indian Tribes may be photographed only when FHWA in consultation with the SHPOs, Indiana Tribes where appropriate & other appropriate parties determines that it is called for & justified in a site-specific treatment plan to support scientific study	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA		14	32	Disturbed human remains and/or grave goods should be reburied as soon as possible in a timely, location & manner determined appropriate by FHWA	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA		15	32	Human remains & grave goods to be made available for reburial to appropriate party or responsible official 30 days from determination.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)																	
Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation				
Status	FHWA/STP/SHPO	GEC	Sub-consultant	SOC	Current Lead	Item	Sub-Items	Pg. Nbr.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MDA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI	KYTC	CTS	A	NR	FHWA		4	32	FHWA to provide ACHP, the SHPOs, Indian Tribes who've expressed interest in the site, other parties deemed appropriate by FHWA, 30 days to comment on treatment plans. FHWA to discuss the final plan(s) take comments into consideration	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA		5	32	Diagrams regarding the treatment plan(s) to be provided in accordance with Stipulation XII	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FHWA		6	32	After implementing stipulations for treatment, FHWA may elect to monitor construction activities in selected portions of right-of-way. Monitoring to be conducted by qualified archaeologist.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	No activity in this Reporting Period
						F		33	Qualifications & Reporting	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	No activity in this Reporting Period

U	FWHA	NR	NR	NR	FWHA	1	33	Work carried out is to be performed by, or under the direct supervision of a person(s) meeting Secretary of the Interior's Professional Qualification Standards in archaeology & has supervisory experience in prehistoric & historic archaeology of the lower Ohio Valley	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FWHA	2	33	FWHA to ensure results of archaeological studies are presented in professionally written reports meeting standards established by the SHPOs	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
D	INDOT/ KYTC	CTS	A	NR	FWHA	3	33	Sensitive information regarding the nature & location of human remains/graves goods & the location, character & ownership of archaeological sites is kept confidential from the public	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
D	INDOT/ KYTC	CTS	A	NR	FWHA	4	33	Parties to have 30 days after confirmed report to review & comment on report. FWHA to address comments in final reports	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	None Established		Same as Description	No activity in this Reporting Period
D	INDOT/ KYTC	CTS	A	NR	FWHA	5	33	Disputes regarding report(s) to be resolved in accordance with Stipulation X1	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	When Appropriate		Same as Description	No activity in this Reporting Period
D	INDOT/ KYTC	CTS	A	NR	FWHA	6	33	Distribution of Final Reports	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	When Appropriate		Same as Description	No activity in this Reporting Period
D	INDOT/ KYTC	CTS	A	NR	FWHA	1	33	FWHA to provide copies of final reports to respective SHPOs, STAs & Indian Tribes, when appropriate	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	Upon Completion of Work		Same as Description	No activity in this Reporting Period
D	INDOT/ KYTC	CTS	A	NR	FWHA	2	33	FWHA to prepare sufficient copies of final reports for dissemination to public libraries, educational institutions & other repositories in Jefferson & Clark Counties	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003			Same as Description	The RSMIT approved use of a general audience booklet and/or website to distribute the results of the various archaeological reports for State 15J/716, 15J/717 and 15J/718
D	INDOT/ KYTC	CTS	A	NR	FWHA	3	33	FWHA to ensure that final archaeological reports for public dissemination do not contain sensitive information	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003			Same as Description	No activity in this Reporting Period

* - KYTC has procured the services of Cultural Resource Analysts (CRA), a consultant under a statewide contract, to perform archaeological investigations for Sections 1 and 4, as well as within the Ohio River floodplain in Kentucky. ASC Group will perform archaeological investigations in Sections 3 and 6, as well as within the Ohio River floodplain in Indiana.

STIPULATION V: UNANTICIPATED DISCOVERIES																
Status	Taskmaster(s) & Lead				MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FWHA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan
NI	INDOT/ KYTC	CTS	NR	NR	FWHA	A		34	KYTC or INDOT to ensure work within 50 ft. around the area of an unanticipated discovery ceases until a treatment plan is developed & implemented	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	Duration of Project		KYTC or INDOT to ensure work within 50 ft. around the area of an unanticipated discovery ceases until a treatment plan is developed & implemented	No activity in this Reporting Period
NI	INDOT/ KYTC	CTS	NR	NR	FWHA	B		34	FWHA to make all reasonable measures to avoid property until conclusion of consultation with SHPO, Indian Tribes and other appropriate parties	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	Duration of Project		FWHA to make all reasonable measures to avoid property until conclusion of consultation with SHPO, Indian Tribes and other appropriate parties	No activity in this Reporting Period
NI	INDOT/ KYTC	CTS	NR	NR	FWHA	C		34	FWHA shall contact SHPO, Indian Tribes and other appropriate parties within 48 hours and provide written details of discovery	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	Within 48 hours		FWHA shall contact SHPO, Indian Tribes and other appropriate parties within 48 hours and provide written details of discovery	No activity in this Reporting Period
NI	INDOT/ KYTC	CTS	NR	NR	FWHA	D		34	INDOT or KYTC shall conduct an on-site evaluation of discovery to determine eligibility, effects and possible treatment measures	HPATA, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	Within 48 hours, or at the earliest opportunity thereafter		INDOT or KYTC shall conduct an on-site evaluation of discovery to determine eligibility, effects and possible treatment measures	No activity in this Reporting Period

NI	INDOT/ KYTC	CTS	NR	NR	FHWA	E		34	Develop appropriate Treatment Plan(s) for discovered historic property	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project			Consult with the BSHCT, HPATs and Native American Tribes to develop report. HPAT recommendations considered by BSHCT and elevated to BSMY for approval.	No activity in this Reporting Period
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	F		34	Ground-disturbing work may commence at sites determined ineligible for NRIWP	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project			Coordination with INSHPO, KYIC and STAs to ensure site clearances	No activity in this Reporting Period
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	G		34	Parties shall invoke provisions for dispute resolution should consensus on eligibility not be reached	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project			As required, provisions of dispute resolution to be followed (Stipulation XII)	No activity in this Reporting Period

STIPULATION VI - ADDITIONAL HISTORIC PROPERTIES AND EFFECTS

Taskmaster(s) & Lead										MOA Reference		Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation		
Status	RHW/ STA/ SHPO	OEC	Sub-consultant	SDC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments		
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	A		35	INDOT or KYTC shall consult with FHWA, SHPOs, Indian Tribes and other parties to determine if other historic properties in addition to those already identified or through Stipulation IV will be affected by the Project	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Before approval of a fee for staging, wetland mitigation, borrow or waste, dredge disposal, or other construction are approved			INDOT or KYTC shall consult with FHWA, SHPOs, Indian Tribes and other parties to determine if other historic properties in addition to those already identified or through Stipulation IV will be affected by the Project.	No activity in this Reporting Period		
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	B		35	Where historic properties are adversely affected, FHWA shall consult with INDOT and/or KYTC, SHPO, Indian Tribes and other appropriate parties to minimize or mitigate effects	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project			Where historic properties are adversely affected, FHWA shall consult with INDOT and/or KYTC, SHPO, Indian Tribes and other appropriate parties to minimize or mitigate effects	No activity in this Reporting Period		
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	C		35	If agreement on measures to mitigate the adverse effect, FHWA will ensure those measures are implemented. Resolve disputes in accordance with Stipulation XII	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project			As required, provisions of dispute resolution to be followed (Stipulation XII)	No activity in this Reporting Period		

STIPULATION VII - EXCESS RIGHT OF WAY

Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation				
Status	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI	INDOT/ KYTC	CTS	NR	NR	FHWA			35	If Project should result in excess right-of-way to be disposed, the FHWA shall consult appropriate SHPO to determine whether the disposal or sale would have an adverse effect on historic properties.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2003	Duration of Project			If Project should result in excess right-of-way to be disposed, the FHWA shall consult appropriate SHPO to determine whether the disposal or sale would have an adverse effect on historic properties.	No excess right-of-way was determined necessary during the Reporting Period.

STIPULATION VIII - PERFORMANCE STANDARDS

Taskmaster(s) & Lead					MOA Reference		Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation				
Status ¹	HW/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	INDOT/ KYTC	CTS	NR	NR	FHWA	A		35	FHWA shall ensure all cultural resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project			FHWA shall ensure all cultural resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards	Condition to be met the duration of the Project.
U	INDOT/ KYTC	CTS	NR	NR	FHWA	B		35	FHWA shall ensure all historic preservation resources work carried out will be guided by the most recent version of the following standards.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project			FHWA shall ensure all historic preservation resources work carried out will be guided by the most recent version of the following standards.	Condition to be met the duration of the Project.
U	INDOT/ KYTC	CTS	N/A	NR	FHWA		1	35	The Secretary of Interior Standards and Guidelines for Archeology and Historic Preservation	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project			continued	Condition to be met the duration of the Project.

U	INDOT/ KYTC	CTS	NR	NR	continued		2	36	Advisory Council on Historic Preservation Treatment of Archaeological Properties: A Handbook	continued	continued	continued	continued		continued	Condition to be met the duration of the Project.
U	INDOT/ KYTC	CTS	NR	NR	continued		3	36	Indiana Guidelines: Division of Historic Preservation and Archaeological Guidelines; most recent version of the Indiana Archaeological Guidelines updating the Guidelines for Indiana Historic Sites	continued	continued	continued	continued		continued	Condition to be met the duration of the Project.
U	INDOT/ KYTC	CTS	NR	NR	continued		4	36	Kentucky Guidelines Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports; most recent version of Kentucky State Historic Preservation Office	continued	continued	continued	continued		continued	Condition to be met the duration of the Project.

STIPULATION IX - PROGRESS REPORTS																	
Status	Taskmaster(s) & Lead				MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation			
	FHWA/ STPA/ SNPO	GEC	Sub-consultant	SOC	Current Lead	Item	Sub Items	Pg No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U		CTS	NR	NR	CTS	A		36	Progress reports detailing implementation of the measures stipulated within the MOA and providing advanced notice of milestones.	INPAT, KHPAT, Signatories and Consenting Parties of MOA	April 2003	December 2003	Every six (6) months until all phases of the project are complete	Report No. 1 - 7/2/04 Report No. 2 - 9/20/04 Report No. 3 - 4/22/05 Report No. 4 - 10/10/05 Report No. 5 - 2/22/06 Report No. 6 - 11/28/06 Report No. 7 - 5/6/07 Report No. 8 - 12/17/07 Report No. 9 - 3/5/08 Report No. 10 - 9/6/08 Report No. 11 - 3/2/09 Report No. 12 - 9/3/09 Report No. 13 - 4/5/10 Report No. 14 - 9/7/10	Six Month Progress Report	After the expiration of the Six Month Period, Progress Report to be developed and distributed within three months of close of Reporting Period.	This Report submitted as Progress Report No. 15
U		CTS	NR	NR	CTS	C		36	Progress report to identify the status of each stipulation outlined in the MOA & of associated documents.	INPAT, KHPAT, Signatories and Consenting Parties of MOA	April 2003	December 2003			Six Month Progress Report	Progress report to identify the status of each stipulation outlined in the MOA & of associated documents.	Condition to be met the duration of the Project.

STIPULATION X - PROJECT MODIFICATIONS																	
Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation			
Status	FHWA/ STPA/ SNPO	GEC	Sub-consultant	SOC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI	N/A	CTS	NR	NR	INDOT and KYTC			36	If the Project is significantly modified and additional effects to historic properties are considered the FHWA will consult with the signatories to determine if the MOA should be amended	INPAT, STPA*, Signatories and Consenting Parties of MOA	April 2009	December 2023	Duration of Project		If the Project is significantly modified and additional effects to historic properties are considered the FHWA will consult with the signatories to determine if the MOA should be amended	Possible amendment to MOA pending additional action from FHWA. Coordination with MOA signatories pending final resolution of amendment. Final approved amendment to be provided to INPAT	

ATTACHMENT D

PROGRESS REPORT SCHEDULE

Pursuant to Stipulation IX of the Section 106 MOA, the following schedule by section and milestones is anticipated for the Project in ensuing Reporting Periods.

SECTION 1 – KENNEDY INTERCHANGE

- Butchertown Final HPP Approval – FY 2011
- Butchertown Dispute Resolution Conclusion – FY 2011
- Coordination Meeting for Resolution of Noise Barriers along I-64 in the vicinity of Clifton – FY 2011
- Coordination Meetings with SDC 2 – On-going
- Section 1A Archaeological Exploration Final Report – FY 2011
- Continuation of Development of Preservation Easements for the Edison House – On-going
- Wesley House Preservation Easement – FY 2011

SECTION 2 – DOWNTOWN BRIDGE

- Additional Context Sensitive Design Workshop with IHPAT and KHPAT – As needed
- Coordination Meetings with SDC 1 – On-going

SECTION 3 – DOWNTOWN INDIANA

- Completion of Clark County Interim Report and Historic Sites and Structures Inventory – FY 2011
- Construction Letting for Rehabilitation of the Spring Street Freight House – Spring 2011

SECTION 4 – KENTUCKY EAST END

- Country Estates of River Road/River Road HPP – Final HPP for Approval in Winter 2010 – 2011
- Final Rosewell Treatment Plan Review – FY 2011
- Final R/W Plans – FY 2011
- Community Meetings to Discuss Noise Barrier Analysis and Possible Design Concepts for the Proposed Noise Barriers – FY 2011
- Coordination Meetings with SDC 5 – On-going
- SDC 4 developing outfall treatment facilities for the bridge and tunnel – Pending
- Completion of Jefferson County Inventory and Survey of Historic Sites – Spring 2011

SECTION 5 – EAST END BRIDGE

Coordination Meetings with SDC 4 and SDC 6 – On-going

SECTION 6 – INDIANA EAST END

- Swartz Farm MOA Amendment - On-going
- Swartz Farm Rural HD Final HPP Approval - Pending MOA Amendment

- Completion of Utica Historic Lime Kilns HPP – Spring 2011 Utica Historic Lime Kilns NRHP Nomination Form – Spring 2011
- Coordination Meetings with SDC 5 – On-going
- Completion of Clark County Interim Report and Historic Sites and Structures Inventory - FY 2011
- Completion of Noise Wall Analysis – Winter 2010 -2011

PROJECT WIDE ACTIVITIES

Archaeological GIS Revision – On-going